

**CITY OF SEASIDE**

**COMPREHENSIVE PLAN**

**No. 83-11**

**ORIGINALLY ADOPTED**

**1983**

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**TABLE OF CONTENTS**

<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
<b>1.0 - Introduction.....</b>	<b>1</b>
1.1 - Citizen Involvement Policies.....	1
1.2 - Coordination.....	2
1.3 - Comprehensive Plan/Zoning Map.....	2
<b>2.0 - Planning.....</b>	<b>2</b>
2.1 - Growth Concepts.....	2
<b>3.0 - Plan Elements.....</b>	<b>3</b>
3.1 - Land Use.....	3
3.1.1 - Rural Use.....	3
Agriculture Land.....	3
Open or Unused Lands.....	3
3.1.2 - Residential.....	4
Low Density.....	4
Medium Density.....	4
High Density.....	4
Resort Residential.....	5
3.1.3 - Commercial.....	5
Neighborhood Commercial.....	5
Resort Commercial.....	5
Central Commercial.....	6
General Commercial.....	6
3.1.4 - Industrial.....	6
3.1.5 - General Land Use Policies.....	6
3.1.6 - Air, Water & Land Quality.....	7
3.1.7 - Air, Water & Land Quality Policies.....	8

<b>4.0</b>	-	<b>Housing.....</b>	<b>8</b>
4.1	-	Housing Policies.....	9
<b>5.0</b>	-	<b>The Seaside Economy.....</b>	<b>10</b>
5.1	-	Economic Policies.....	11
<b>6.0</b>	-	<b>Community Facilities.....</b>	<b>12</b>
		City Hall.....	12
		Swimming Pool.....	12
		Hospital & Health Care.....	12
		Seaside Community Center.....	12
		Schools.....	12
		Day Care.....	13
		Convention Center.....	13
		Library.....	13
		City Shops.....	13
6.1	-	Community Facilities Policies.....	14
<b>7.0</b>	-	<b>Utilities.....</b>	<b>14</b>
7.1	-	Water System.....	14
7.1.1	-	Water System Policies.....	15
7.2	-	Sewer System.....	16
7.2.1	-	Sewer System Policies.....	16
7.3	-	Street System.....	16
7.3.1	-	Street System Policies.....	16
		Roads & Streets.....	16
		Bridges.....	17
7.4	-	Other Utilities.....	18
<b>8.0</b>	-	<b>Transportation.....</b>	<b>18</b>
8.1	-	Transportation Policies.....	19
8.2	-	Energy Conservation.....	20
		Energy Conservation Policies.....	21

<b>9.0</b>	-	<b>Recreation, Open Space, &amp; Historic Areas.....</b>	<b>21</b>
		Open Space.....	22
9.1	-	Recreation Policies.....	23
9.2	-	Open Space Policies.....	23
9.3	-	Fish & Wildlife Policies.....	24
9.4	-	Historic & Archeological Policies.....	24
<b>10.0</b>	-	<b>Forestlands.....</b>	<b>25</b>
<b>11.0</b>	-	<b>Flood &amp; Erosion Policies.....</b>	<b>25</b>
11.1	-	Geologic Hazards Policies.....	26
<b>12.0</b>	-	<b>Beaches &amp; Dunes Policies.....</b>	<b>27</b>
		Beaches Policies.....	27
		Dunes Policies.....	27
		<b>Foredune Management Plan.....</b>	<b>27</b>
		Introduction.....	30
		Overall Objectives.....	30
		Overall Strategy.....	31
		Initial Implementation 0-2 yrs.....	31
		Monitoring and Maintenance 0-2 yrs.....	32
		Monitoring and Maintenance 3-5 yrs.....	32
		Citizen Involvement.....	33
		Statement of Reasons for Goal 18 Exception.....	33
		I. Justification.....	34
		II. Alternative Areas.....	35
		III. Compatibility.....	35
<b>13.0</b>	-	<b>Estuarine &amp; Shorelands Resources.....</b>	<b>37</b>
13.1	-	Overall Goals & Policies.....	37
13.2	-	The Estuary Shorelands Boundary.....	44
13.2.1	-	Shorelands Policy.....	47
<b>14.0</b>	-	<b>Urban Growth Boundary.....</b>	<b>47</b>
		Basis for Boundary.....	47
		Findings for Boundary.....	48
		Discussion of Boundary of Urban Growth Boundary.....	50
14.1	-	Urban Growth Policies.....	51

<b>15.0</b>	-	<b>Implementation.....</b>	<b>54</b>
15.1	-	Land Use Controls.....	54
15.2	-	Public Facilities Plan.....	55
15.3	-	Revising the Plan.....	56
15.4	-	Implementation and Procedural Policies.....	56



## **1.0 INTRODUCTION**

Seaside has historically been one of the Oregon Coast's most visited and most popular ocean front resorts. It has a choice location. Being only 80 miles from the Portland metropolitan area, it is one of the closest beaches attracting people from the state's largest population center.

The wide beach with white sand stretches from Tillamook Head north to the mouth of the Necanicum River. The Promenade runs the length of the beach from Avenue "U" to 12th Avenue, providing both tourists and the local residents a place to walk, jog, or bicycle while viewing the beach and ocean.

Most of the development along the beach front is devoted to housing for tourists or amusements for visitors.

The Necanicum River winds through the town. Through the central business district there are many places to view the river from the bridges or to walk along the river. The river is also popular with the steeled fishermen.

The Seaside Comprehensive Plan has developed upon the premise that Seaside would remain a resort town dependent upon its tourist oriented economy. In order to promote the economy, Seaside must assure that land is available and zoned for new and modern tourist facilities, upgrade existing facilities, promote facilities such as the Seaside Convention Center to assure a flow of tourists all year.

The Seaside Comprehensive Plan is an official public document that is adopted by the city as the policy guide to development decisions. The plan should be considered to be a dynamic document which should be kept up-to-date constantly and revised as conditions change.

Background data used in formulating this plan is included in the Seaside Background Report, which is incorporated as part of this plan.

## **1.1 CITIZEN INVOLVEMENT POLICIES**

Citizens, including residents and property owners, shall have the opportunity to be involved in all phases of the planning efforts of the city, including collection of data and the development of policies.

The Planning Commission and other city committees shall be representative of the wide diversity of views and interests in the community.

Technical information, such as the plan background data, the goals and policies and city ordinances, shall be available to the public at nominal cost.

Citizens shall receive responses to their comments to decision makers either directly at meetings, in the minutes of the meetings (which are available at Seaside City Hall at no cost), or by written correspondence.

The City of Seaside will encourage organizations and agencies of local, state, and federal government and special districts to participate in the planning process.

A taped record of each meeting shall be kept in city hall for a period of one year and made available to persons wishing to listen to it. If a copy of the tape is required, one will be provided for a reasonable fee. A written summary of the meetings shall be made available through the Seaside Planning Office or the City Manager's Office.

## **1.2 COORDINATION**

Local, state and federal agencies and jurisdictions shall be given the opportunity to participate in the city's planning process and to coordinate their plans with the city.

## **1.3 COMPREHENSIVE PLAN/ZONING MAP**

The Seaside Comprehensive Plan and Zoning Map shall be the official land use map for the city, and shall be included in the plan and zoning ordinance and kept on file at Seaside City Hall.

## **2.0 PLANNING**

In the experience of Seaside, as with most communities, the planning process has been a continuous one. The Seaside City Council adopted the Seaside Comprehensive Plan in November 1976. Upon reviewing the plan for compliance with the State of Oregon's Land Conservation and Development Commission's goals, it was determined that the plan, which was completed in August 1975, did not fully comply with the goals. The Planning Commission and the City Council and the Planning Staff worked to revise the plan, and it was acknowledged as complying with LCD goals in 1983. The first periodic review occurred in 1989.

The city also has enacted a Zoning Ordinance, a SubDivision and Land Partitioning Ordinance, a Flood Damage Prevention Ordinance, and a Historic Preservation Ordinance. These will all need to be reviewed and updated as necessary.

## **2.1 GROWTH CONCEPTS**

Considering various physical limitations to growth, such as the ocean to the west, Gearhart adjoining the city to the north, the mountains and foothills to the east, and the additional constraint to growth caused by the flood hazard areas of the Necanicum River and Gnawing Creek, future growth will most likely occur in the upland areas in the south of the city. Except for the area along Wahanna Road north of Broadway and on the north side of Lewis and Clark Road, the city has annexed most of the area within the Urban Growth Boundary. Most areas within the city have been developed so that growth within the current Urban Growth Boundary is limited.

A dispersed growth pattern in Seaside would provide more orderly and economic provision of public services and facilities; and greater efficiency of land use can be realized than if the city tried to direct growth either to the southwest, southeast, or the northeast.



### **3.0 PLAN ELEMENTS**

#### **3.1 LAND USE**

The land use element of the Comprehensive Plan has been developed in a series of stages from growth concepts to alternative growth patterns, to the detailed land use plan in this section.

Densities were arrived at by considering the capabilities of existing and planned utilities and street systems, and the maintenance of existing neighborhood characteristics and qualities.

The land use plan is divided into five major classifications:

Rural Use

Residential

Commercial

Industrial

Public, Semi-Public

Each of these are further subdivided into sub-classifications.

##### **3.1.1 RURAL USE**

Rural Use land is divided into two categories: agricultural and open or unused land.

###### Agricultural Land

Seaside contains very little prime agricultural land within its boundaries and only small amounts adjacent to the city.

The primary areas designated for agriculture are the large area to the south of the golf course, known as the Earl land, and the lowland areas east of Gnawing Creek in the southeast part of the planning area. The Earl land contains the largest amount (192 acres) of Class II agriculture land. A portion of it is now developed as a campground.

The lowland area along Gnawing Creek is mostly Class III land and a good deal of it is in the flood plain.

###### Open or Unused Lands

Open space and unused lands are covered in more detail in the Open Space and Recreation Element of the plan.

### 3.1.2 RESIDENTIAL

Residential land use is divided into three levels of density.

Low Density: These areas are characterized by suburban residential qualities, such as single family units on individual lots, including other uses which are consistent with residential neighborhoods, such as churches, schools and community facilities. The maximum density should not exceed five dwelling units per net acre in low density areas.

Development plans for a planned unit development will provide for adequate open space to protect adjacent properties, and will give careful attention to good circulation, protection of environmental amenities, and avoidance of on and off site congestion.

Medium Density: These areas are characterized by moderately dense housing on generally small lots. Uses include mostly single family housing dwellings with a mixture of duplex or two-family units and other uses consistent with residential neighborhoods, such as churches, schools, community facilities, and parks or recreational areas. This area may also contain manufactured homes, manufactured home parks, and vacation rental dwellings.

The area includes much of the older areas of the city which contain a wide variety of uses not in keeping with the character of the predominant uses in the neighborhood. These "nonconforming" types of uses must be recognized and should be allowed to continue; however, their long-range use should be discouraged. Some of the nonconforming uses are old style tourist courts that are being converted to apartment-type use.

Maximum density shall not exceed ten dwelling units per net acre in medium density areas.

High Density: These areas are characterized by urban high density qualities such as apartment houses, as well as some mix of single-family, duplex, and other uses consistent with high density residential areas. These areas may also contain limited amounts of commercial uses that are a convenience to residents of a high density area. These convenience establishments have the purpose of providing convenient shopping for daily necessities within easy walking distance, which will help to cut down on traffic in areas presently congested because of very narrow streets. This will also help to conserve energy by saving on fuel consumption.

Dwelling units in this area should be for full-time residential use.

Resort/Residential: Because of the resort character of Seaside, a resort-residential area has been designated on the plan to provide area for the orderly expansion of tourist accommodations and related business when actually a part of a motel or hotel facility, such as restaurants and gift shops.

The city finds it is important to the economic viability of the community that the commercial uses and activities that occur in the R-R zone are conducted in a manner that is safe, convenient and compatible with adjacent uses as well as for employees and patrons of such uses and activities.

There has been an identified need to provide more area for tourist facilities near Highway 101.

Residential/Commercial: These areas are for the location of small businesses and services within residential areas. Residential uses shall be allowed; therefore, businesses shall be compatible with residential uses using setbacks, screening, and limited hours of operation. Because of the amount of traffic generation and the general incompatibility with residential uses, drive-in restaurants and automobile service stations shall not be allowed in residential commercial areas.

The city finds it is important to the economic viability of the community that the commercial uses and activities that occur in the R-C zone are conducted in a manner that is safe, convenient and compatible with adjacent uses as well as for employees and patrons of such uses and activities.

### **3.1.3 COMMERCIAL**

Commercial uses cover a wide range of activity at different intensities of use. Since density of commercial uses cannot be determined by the number of dwelling units per acre, uses are grouped into different classifications based on type of use and extent of use that is felt to be at a similar intensity of use as medium and high density residential areas. Some commercial areas will have a mixture of residential and commercial uses, such as resort-motel, general commercial, and neighborhood commercial areas, while others will be exclusively business of commercial uses.

The city finds it is important to the economic viability of the community to provide for a variety of commercial and industrial uses and activities that can occur in a manner that is safe, convenient and compatible with adjacent uses as well as for employees and patrons of such uses and activities.

#### Neighborhood Commercial:

These areas are for the location of small businesses and services adjoining residential areas.

Residential uses shall not be allowed except those in connection with a commercial use; for example, a grocery store with the owner's residence above or behind the store. Automobile service stations are appropriate in neighborhood commercial areas; however, because of fire danger and the very narrow streets on the west side of the Necanicum River, none should be located west of the Necanicum River. Because of the amount of traffic generation and the general incompatibility with residential uses, drive-in restaurants should not be allowed in neighborhood commercial areas.

#### Resort Commercial:

These areas are located on the west side of the Necanicum River. They are intended to provide for tourist-oriented business and services. The resort character of these areas should be emphasized, and businesses and uses which contribute to the attractiveness for tourists and residents will be encouraged.

The primary area for resort commercial is along Broadway, between the Necanicum River and the Prom Turnaround. Because of fire danger and the narrow street, pattern on the west side of the river, automobile service stations will be prohibited from resort commercial areas.

### Central Commercial:

Seaside has a rather unique central business district in that it is centered along Broadway but divided in half by the Necanicum River. This division creates two rather distinct business areas, one the resort commercial, described in the previous section, and the other a typical BCD on the east side of the river. This area is referred to as central commercial, to reflect its primary use as the central business district.

### General Commercial:

These areas are located east of the Necanicum River and are high intensity use areas. This is an area of commercial uses which do not require prime areas such as in the central business district or resort areas. This is the area where wholesale, auto-oriented and heavier commercial uses such as normally occur in the fringe area of the BCD are located. The general commercial area is located to the south of the BCD generally along US Highway 101.

### **3.1.4 INDUSTRIAL**

Industrial land is not a major use in Seaside primarily because of its location on the Oregon Coast and its resort character. However, industrial land is important to help diversify Seaside's economy. Light manufacturing and warehousing are encouraged.

Three areas are designated in the plan of industrial use. Two are small zones adjoining Highway 101 at the northern part of the city. One is at 24th Avenue on the west side of the highway, and the other is between 7th and 12th Avenues on the east side of the highway. The large industrial zone is between Avenue "P" and Avenue "U" east of Highway 101.

The city finds it is important to the economic viability of the community to provide for a variety of commercial and industrial uses and activities that can occur in a manner that is safe, convenient and compatible with adjacent uses as well as for employees and patrons of such uses and activities.

### **3.1.5 GENERAL LAND USE POLICIES**

1. The city shall make provisions for offices as a conditional use of the high density residential zones.
2. Designation of high density land use categories, including resort residential and high density in the area west of the Necanicum River, shall recognize the accessibility limitations due to bridge crossings and the predominance of narrow streets. The land use element shall be coordinated with the transportation plan. (Section 8.0).
3. Development will be encouraged within existing built-up areas presently served with all utilities; however, development into unserved areas can occur, consistent with the Comprehensive Plan and plan policies, as long as the developers are willing to finance the cost of extending utilities.
4. Except for those activities and uses that are by their nature are conducted outdoors, commercial and industrial activities and uses shall primarily occur in an enclosed

structure that complies with applicable building code requirements or behind a sight obscuring buffer or wall.

5. Planned Developments shall be allowed in the SR, R-1, R-2, R-3 and R-R zones, subject to specific standards and procedures listed in the Zoning Ordinance, in order to facilitate developments that might not otherwise be achievable through traditional development procedures. The Planned Development standards will include opportunities for increased density/density bonus.

### **3.1.6 AIR, WATER, AND LAND QUALITY**

As protection of Seaside's high quality air, water and land resources can only be accomplished through the joint efforts of city, county and state governments, as each has laws pertaining to environmental quality and land use which affect Seaside and its surrounding areas.

Air quality is not a problem in Seaside due to its location on the ocean and the constant movement of air through the area. There are no major industrial uses in Seaside, so there is no industrial pollution. One source of air pollution in Seaside is the automobile. As a tourist center, and with very limited alternatives to the automobile to get to Seaside, the area does attract a lot of automobiles. However, it is the federal enforcement of automobile engine emissions that will affect the automobile as a source of pollution. Another source of pollution is outdoor burning of debris, which is regulated by permits from the Seaside Fire Department.

Water quality in the river and in the creeks in Seaside is also high. The major problem is septic seepage in areas not on sewer and outside the city limits. Salutation caused by erosion is also a problem.

The city provides sewer collection and treatment and domestic water supply and service. As the population grows, they need to be expanded. The state Department of Environmental Quality regulates sewer and water systems. Seaside conforms with these regulations and will continue to do so.

The solid waste operator for Seaside currently operates a transfer station. However, finding an acceptable sanitary landfill site for solid waste has been difficult due to our climate.

### **3.1.7 AIR, WATER, AND LAND QUALITY POLICIES**

1. New development proposals shall comply with all state and federal environmental quality statutes, rules and standards which are applicable to the proposed project.
2. The city will cooperate in county efforts to find a solid waste disposal site.
3. Since the city has a mandatory garbage collection requirement, recycling programs and opportunities need to be expanded.
4. The city will cooperate in local and regional water quality management plans and programs.
5. The city shall continue to provide high quality sewage treatment in accordance with the DEQ wastewater discharge permit.
6. The city, through the enforcement of Chapter 70 of the Uniform Building Code, shall attempt to reduce the erosion of soil and resulting sedimentation of the creeks.
7. State and federal laws govern and regulate sources of pollution. Seaside does not have major pollution problems, but the city will require the enforcement of state and federal laws.
8. Seaside will comply with the State of Oregon, Department of Environmental Quality noise policies through the enforcement of the city's noise ordinance.
9. Portions of the city have been identified as potential water table areas with a sensitive aquifer by the Department of Environmental Quality (DEQ). DEQ has not yet implemented its program for protecting such areas. The city will cooperate with DEQ in the implementation of its program for water table areas with sensitive aquifer. DEQ anticipates that this program may have an effect on the placement of underground storage tanks.

### **4.0 HOUSING**

Seaside has a two-fold need in the area of housing. There is a need to adequately house the permanent residents of the city and a need to house the large number of visitors who use Seaside and its surrounding areas for recreation.

The housing census of 1980 shows that there is a 1.5 percent vacancy rate among single family homes for sale and a 16.5 percent vacancy rate for rental units. There probably should be more homes on the market to provide potential buyers with a choice of housing within each cost bracket.

Very few houses within Seaside's housing stock are substandard or of marginal standard. These homes make up less than 6 percent of the total.

As is the case with most coastal communities, Seaside has a large percentage of retired senior citizens, about one-third of the total households. Therefore, Seaside's major challenge in the housing area is to provide housing for low income senior citizens and for low income employees of tourist oriented businesses.

To help solve this problem, a low income housing development was constructed on Spruce Drive east of Wahanna Road. Other sites are being considered.

One means of providing low and moderate income housing is with manufactured homes. Manufactured homes are allowed in approved manufactured home parks and subdivisions in medium and density residential zones. They are also allowed on individual lots in medium and high density residential zones.

The improvement of the quality and variety of future housing can be achieved through the use of "Planned Developments." A Planned Development (PD) is a residential development in which zoning and SubDivision regulations apply to the project as a whole rather than to individual lots, as in the typical development. This permits more flexibility in design, the mixing of building types, the provision of more usable open space, and the reduction of utility costs through clustering of housing units.

Twenty-two percent of the housing units in Seaside are used only part time as beach cabins. The city has attempted to separate the housing used by permanent residents and that used by visitors through the creation of a resort residential zone and by regulating vacation rentals in medium and high density residential zones.

#### **4.1 HOUSING POLICIES**

1. It is the policy of the City of Seaside to maintain the present predominately single family housing character of Seaside. However, it is recognized that there is a need for other types of housing such as attached and detached single family housing and multiple family housing for both owner and renter occupancy, manufactured dwellings, manufactured home parks, and government assisted housing. The city will ensure that sufficient buildable land is included in appropriate zones for all needed housing types.
2. Since the City of Seaside is a recreational community and major tourist attraction on the Oregon Coast, it is recognized that there is a need for recreational types of housing, including beach homes, vacation rentals, motels, recreational vehicle parks, and campgrounds. Development plans shall be reviewed for compatibility with surrounding land use, protection of environmental amenities, and avoidance of on and off-site congestion.
3. The Planned Development provisions of the Zoning Ordinance should be utilized by the city to encourage developers to provide better design and imagination in their projects. Its use would be appropriate also as a means of meeting the needs for recreation oriented projects, such as second home developments and other types of part time recreation residential uses.
4. The City of Seaside encourages the rehabilitation of existing housing and maintenance of high quality housing.
5. The City of Seaside will cooperate with the Clatsop County Housing Authority and Northwest Oregon Housing Association in their efforts to provide housing assistance to low and moderate income persons, especially the elderly.
6. The City of Seaside will continue to expand its housing code enforcement program.
7. The City of Seaside shall encourage energy conservation in housing construction.

8. Sufficient land shall be designated for higher density residential development where city services are available and access to community facilities is convenient and therefore close to the city center.
9. The City of Seaside shall assure a high standard of housing construction through enforcement of the Uniform Building Code.
10. Manufactured homes will be permitted in manufactured home parks and manufactured home SubDivision in the medium density residential zone. The city will require that manufactured home parks be landscaped with vegetation and other appropriate screening.
11. The City of Seaside shall consider leasing, or making available by other means, public lands for the development of housing for low and moderate income persons, especially the elderly.
12. The City of Seaside will make available information concerning low-cost weatherization and winterization programs available through the Area Agency on Aging, local private utilities, and other sources.

## **5.0 THE SEASIDE ECONOMY**

Seaside is a major destination recreation area on the Oregon Coast and a commercial center for South Clatsop County and North Tillamook County. Public input has indicated a need for a large tourist accommodation, particularly for delegates to conventions and other activities at the Seaside Civic Convention Center. The public has made a major investment in the Seaside Civic Convention Center. Of continuing importance is downtown revitalization. A good road system to and from the city is very important to the tourist industry. Especially needed are improvements to Highway 26 and Highway 101, including a future by-pass of the City.

Seaside, like most of the Oregon Coast, needs greater economic diversification which would permit the development of new jobs for the area's unemployed and new basic industries that are not directly related to the tourist industry. There are few light industrial or heavy commercial sites in Seaside. Recent studies have indicated that the majority of new jobs are created by the expansion of small, local industries. Policies regarding tourist-oriented development are found in descriptions of the Resort Residential (Section 3.1.2) and Resort Commercial (Section 3.1.3) land use categories. Section 3.1.4 sets forth industrial land use policy.

The City of Seaside's effort will be:

1. To support economic development activities which enhance the area's economic base, which is tourism.
2. To work with the area economic development agencies and organizations in seeking small light industry, needed for diversification of the area's economy.
3. To improve the appearance of the city and encourage continued improvements of tourist and recreation facilities, and areas such as the Seaside Civic Convention Center and supporting tourist accommodations, the downtown area, cultural attractions, and expanded river access.



4. To strengthen Seaside's downtown area and the Highway 101 business area as important tourist and commercial centers.
5. To designate sufficient land in the Comprehensive Plan and Zoning Ordinance to allow for the reasonable expansion of business and industry.
6. To provide for a variety of commercial and industrial uses and activities that can occur in a manner that is safe, convenient and compatible with adjacent uses as well as for employees and patrons of such uses.
7. To maintain the long term economic viability of the community.

## **5.1 ECONOMIC POLICIES**

1. Since recreation and tourism are the major economic base in Seaside, all future development decisions shall consider both beneficial and adverse impacts on that base.
2. Continued support should be given to the upgrading and revitalizing of the Broadway core area and the Highway 101 business area. The Urban Renewal District is seen as an important means of achieving this goal.
3. The city supports the efforts of the Seaside Chamber of Commerce and the Clatsop County Economic Development Committee in improving the economy of the area. They should include attention to industrial recruitment and the needs of local industry and businesses. Consideration should be given to encouraging local residents to develop small scale manufacturing (cottage industry).
4. Continued improvements should be made to the Seaside Civic Convention Center.
5. The City of Seaside will continue to fulfill its responsibility to operate and maintain the Seaside Civic Convention Center for the benefit of all the citizens of Seaside and the general public.
6. Continued effort should be made to stabilize the seasonal nature of the travel industry by promoting off-season activities.
7. Except for those activities and uses that by their nature are conducted outdoors, commercial and industrial activities and uses shall primarily occur in an enclosed structure that complies with applicable building code requirements or behind a sight obscuring buffer or wall.
8. Commerce shall be conducted in a manner such that the long term economic viability of the community is maintained.

## **6.0 COMMUNITY FACILITIES**

The community facilities element of the Comprehensive Plan covers public and semi-public activities in the community, with the exception of utilities and parks and open space. These are considered as separate elements.

As the city grows and expands, it is necessary to expand community facilities to meet future needs. Most of these future needs can be met, or are being met, by expansion of existing facilities at their present locations. Specific community facility plans are summarized as follows:

#### City Hall:

Construction of a new Seaside City Hall and Fire Station was completed in January 1990. The facilities will serve the city for the next 20 years and more.

#### Swimming Pool:

Sunset Parks and Recreation District provides the area with a community swimming pool and recreation facilities. It is located next to Broadway Junior High School on Broadway, near the city center.

#### Hospital and Health Care:

The Seaside General Hospital is located east of Wahanna Road, south of Sunset Hills. The hospital has sufficient space for expansion in the foreseeable future. There is an emergency heliport at the hospital site.

An identified need in Seaside is additional and improved long-term care and expanded preventive medicine and home-care programs.

Nursing homes are generally privately operated, and as such are not the responsibility of the city government; however, the city can, and should, make provision for allowing nursing homes within the city subject to the appropriate considerations, such as sufficient area, parking, access, and relation to the surrounding uses.

#### Seaside Community Center:

A site and structure, part of the old Catholic convent site, has been acquired by the city and converted for use by the elderly to provide health, meals, and other social services. The structure has a large meeting and activity room, a smaller meeting room, kitchen, office and storage, and is used as the Seaside Senior Citizen Center. The city has plans to remodel and enlarge the Senior-Community Center for all segments of the public with special senior activities, such as the meal site, being a part of the Center.

#### Schools:

Seaside School District projections of future school enrollments indicate that within the near future, Seaside Heights Elementary School, Broadway Junior High School, and Seaside High School will exceed their design capacity.

Seaside Heights Elementary has an enrollment of approximately 500 pupils, which is near its design capacity. Seaside Heights Elementary is located on a 43-acre tract and was built in 1973. Expansion can occur on the site.

Broadway Junior High is nearing 300 students. The design capacity of the school is 250. The Broadway School site is 5.2 acres. There is a 9.66-acre city park adjoining the school site. The school was built in 1949. In 1992, the voters approved a \$7.5 million

bond issue to expand science classrooms, art and music classrooms, and the cafeteria. The sixth grade will also be added by providing additional classrooms.

Seaside High School has an enrollment of 500 students. The design capacity of the school is 540. The site is 16.56 acres. Seaside High School was built in 1956. The 1992 bond issue will permit the remodeling of the library and science rooms. Additional physical education and athletic facilities are needed and an auditorium needs to be added to the school. These items were not covered by the 1992 bond issue.

Seaside is a part of the Clatsop Community College District. Classes are regularly held in Seaside by Clatsop College, and a Seaside Campus is currently in the planning stages.

#### Day Care:

Family day care centers are an important aspect of community facilities from the standpoint of enabling people time and freedom to work at jobs which benefit the local economy and to pursue other interests.

Due to the extended hours of many Seaside's businesses, a need exists to provide day care for the many people working evening hours. The city encourages the extension of hours by family day care facilities to accommodate this need.

Presently within the city, there are several family day care centers and many people who care for a small number of children in their homes. One family day care presently offers extended hours, which accommodates the needs of evening employees.

In 1991, the city built a Head Start Center using Oregon Community Development Block Grant funds.

#### Convention Center:

The Seaside Civic Convention Center was built in 1970 and was expanded in 1990. Providing additional parking remains a concern. The city has purchased two blocks west of the Convention Center for parking. Additional parking can be provided by building a parking structure on these two blocks.

#### Library:

The Seaside Library was expanded in 1986 to meet the community's needs until the year 2000.

### City Shops:

The city shop facilities, which house the Public Works and Engineering Departments, may need to be expanded and relocated.

## **6.1 Community Facilities Policies**

1. The City of Seaside will continue to operate and maintain a Community Center for the benefit and welfare of the citizens of the community. Efforts will be made, within the financial capabilities of the city, to expand and improve facilities and services provided by the center.
2. The City of Seaside will cooperate to the fullest extent with the Seaside School District to assure adequate sites for new schools that may be needed in the future, or for expansion of existing facilities to meet future education requirements.
3. The city shall make provision for day care centers, following guidelines below:
  - a. Family day care providers with up to 12 children shall be allowed as an outright use in residential and commercial zones.
  - b. Family day care centers of 13 or more children shall follow the conditional use procedure outlines in the Seaside Zoning Ordinance.
4. The City of Seaside will continue its support operations and maintenance of the Seaside Library.
5. The City of Seaside will make every effort to accommodate a Visual and Performing Arts Center in Seaside.

## **7.0 UTILITIES**

See the Public Facilities Plan in the background report.

### **7.1 WATER SYSTEM**

The city maintains water rights for supply on the South Fork of the Necanicum River and Brandies Creek.

The amount of flow greatly exceeds the city's future needs. If substantial increase in water use occurs, the treatment facilities will need to be expanded to provide more intense treatment. State and federal requirements for health and water quality have determined that a water filtration plant is required. The city is working on this project.

The city has an 18-million gallon reservoir. Normal water usage is 750,000 gallons per day to 1,000,000 gallons per day.

Only during the last two weeks in August and the first two weeks of September, when water flow is at a minimum and the tourists at a maximum, has there ever been a substantial draw down at the reservoir.

Major additions to the water system are much simpler than for the sewer system as long as development is kept below the 80-foot contour line to avoid either pumping or the construction of a reservoir above Sunset Hills.

The Public Facilities Plan indicates a need for \$872,800 for water main replacement over the five year period of 1989-1994.

The City has provided water service to certain properties along the Highway 26 area since 1924. The City will continue to provide service in this area consistent with the City of Seaside Comprehensive Plan, Clatsop County Comprehensive Plan and applicable State and Federal laws.

In the event that availability of water is limited, the City will utilize the following service order of priority:

- Properties within the City Limits
- Properties within the UGB
- Other properties

#### **7.1.1 WATER SYSTEM POLICIES**

1. The City of Seaside will comply with applicable state and federal environmental quality statutes, rules and standards related to water supply and distribution, sewage collection and treatment, storm drainage and solid waste disposal.
2. A capital improvements program for upgrading the water system should be included in each year's city budget. Water system improvement charges should be accumulated in a fund for these capital improvements.
3. Water services may be extended to the areas outside the city limits but within the Urban Growth Boundary.
4. Water service is allowed outside the City Limits and outside of the Urban Growth Boundary under the following conditions.
  - a. One water service, not to exceed a 1" water line, shall be permitted to service each buildable lot of record as determined by the Clatsop County Comprehensive Plan and Land and Water Development and Use Ordinance..
  - b. One water service, not to exceed a 1" water line, shall be permitted to service buildable lots that can be legally created pursuant to the Clatsop County Comprehensive Plan/Zoning May density existing as of January 1, 1996.
  - c. The total cost of providing water service from the existing water main to the property shall be borne by the property owner and shall include the cost of the water service.
  - d. Policies a., b. And c. apply only to the areas south of the Seaside UGB to the Cannon Beach Junction and from the Cannon Beach Junction to the terminus of the existing water main near M.P. 3.4 on U.S. 26.

- e. Water service from the City of Seaside to the areas described in d. Above, shall not be used as a basis for justifying a zone change to a commercial zone, industrial zone or higher density residential zone.
5. All new properties connecting to the water system shall pay water systems development charges as established by Council resolution.
6. The fee for service outside the City shall be twice the City rate.
7. When the City issues general obligation bonds for construction of a water treatment plant, additional storage or other improvements to the water system, an amount equal to the average Seaside property tax contribution shall be added to water bills for service outside of the City.
8. The City shall retain the right to limit usage in case of water shortages, and to adopt rules and regulations for water service.

## **7.2 SEWER SYSTEM**

The Seaside Sewage Treatment Plant was expanded in 1986 to meet the needs for a 50-year period. It provides both primary and secondary treatment.

The Public Facilities Plan indicates a need for \$1,685,000 in replacement of sewer lines over the five year period of 1989-1994.

### **7.2.1 SEWER SYSTEM POLICIES**

1. Sewer services will be extended to unserved areas only if they are within the city limits. All subdivisions and partitions within the city limits shall be connected to the sewer system when available and subject to capacity limitations.
2. Sewer lines in proposed developments shall be adequately sized to meet future needs of the development and shall be designed so as to minimize excavation of the road surface in future connections.
3. Costs of extensions of sewer lines, including associated costs such as a sewer pump station, shall be borne by those property owners benefiting from the extension.
4. System improvement charges should be placed in a fund for future capital costs. The city, through its annual budget process, should monitor available funds for the upgrading or expansion of the system in relation to current demands.

## **7.3 STREET SYSTEM**

The city has historically coordinated street improvements with water and sewer line installation.

There is a need to upgrade existing streets through the passage of a road district levy. The Public Facilities Plan shows a need for \$938,000 in collector development and \$1,320,000 in residential street improvements over the five year period of 1989-1994.

New streets, if they are part of a new development, are the responsibility of the developer. If a new street is needed in a developed area, the street development is the responsibility of the benefiting property owners.

### **7.3.1 STREET SYSTEM POLICIES**

#### **1. Roads and Streets:**

--Because of unique and unusual problems created by having county roads entirely without the city limits, the city will cooperate with Clatsop County to bring all county roads, surrounded by the city, to an acceptable standard and then accept those roads into the city system.

--Because of unique and unusual problems created by having county roads entirely within the Urban Growth Boundary, the city will cooperate with Clatsop County to bring all county roads in future annexed areas to an acceptable standard and then accept those roads into the city system.

#### **Bridges:**

--The city has accepted all county bridges within the city limits of Seaside into the city system.

--The city shall accept all county bridges of future annexed areas into the city system for all proposed, including but not limited to repair, maintenance, and improvement upon the adoption of the subject annexation.

2. The city shall coordinate the installation of utilities such as electrical, telephone, water, and sewer lines with road building operations.
3. In new subdivisions and large scale developments, utility lines shall be required to be placed underground unless soils, topography, or other conditions make underground installation unreasonable or impractical. Appurtenances and associated equipment such as surface mounted transformers, pedestal mounted terminal boxes, and meter cabinets may be placed above ground.
4. The city shall require new subdivisions and large developments to consider:
  - a. The slope of the street in relation to the storm water capacity of gutters or ditches;
  - b. The effected streets will have on storm water drainage;
  - c. The location and sizing of the street culverts, which may be designed to create temporary water storage areas;
  - d. The location of streets in relation to natural streams, ponds, or drainage channels.
5. Adequate storm drainage shall be provided in all street improvement projects, both public and private. The City Public Works Director or a Registered Engineer shall specify the appropriate placement and sizing of all drainage facilities on both public and private projects.

6. A capital improvement program for upgrading streets, sidewalks, drainages, and bike paths shall be kept current by the city.
7. Alternative uses of city right-of-ways should be considered where they are not needed for streets. These may include bike paths or walking trails, greenbelts, natural areas, or small parks.
8. Construction of bike paths or sidewalks shall take place on all arterial or collector street improvement projects, particularly in commercial areas.
9. Where street right-of-ways are poorly platted or not feasible for improvement, the City Council may vacate the street and allow equal exchange of dedication of streets which are better suited to the terrain or special circumstances.
10. The City Council may consider blocking of streets which constitute public safety hazards because of poor visibility, steepness, or other reason.
11. Excavation and grading of streets shall be carried out in conformance with the Comprehensive Plan and Chapter 70 of the Uniform Building Code.
12. The Wahanna Road right-of-way shall be 40-feet in areas where there is a 30-foot right-of-way at present. Dedication of additional right-of-ways shall be required for all land use actions, (including building permits) except for nonstructural uses, accessory uses and additions not requiring a variance.
13. The city and county shall develop a method to assess developments (i.e., systems development charge) that will not be adjacent to Wahanna Road but which will impact Wahanna Road. This policy applies as long as the impacted area of Wahanna Road remains a county road.
14. When the city annexes property abutting a county road, the city shall annex the entire (not part of) road also.

#### **7.4 OTHER UTILITIES**

Electrical power, natural gas, telephone, and cable television are private utilities and not the direct responsibility of the city; however, the city should make sure that all future developments make provisions for these utilities through easements and utility corridors. All new developments should be coordinated with the utility companies before final approval. Provisions should be made requiring all utilities in new developments to be placed underground.



## 8.0 TRANSPORTATION

The major part of the transportation plan is the street and highway system. The city's street system is illustrated on the Transportation Element Map and includes the following classifications:

1. Arterial Streets - carry most of the traffic through or into the city, provide access to the most intensive portion of the city, such as downtown, and have the largest right-of-ways.
2. Collectors - distribute traffic from arterial streets onto residential or local streets and have a lesser right-of-way width than arterial streets.
3. Local Streets - give direct access to abutting properties. They are not intended to provide through traffic movement as do collector or arterial streets. They should be designed to serve low traffic volumes.

In addition to establishing a classification of the street system based on their primary functions, the Public Facilities Plan recommends proposed street improvements that would facilitate circulation around and throughout the city.

The relocation of U.S. Highway 101 to Roosevelt Drive was accomplished during the 1960's, which relieved intolerable congestion on Holladay Drive. During the 1970's Roosevelt served well as a highway but there have been increasing local and regional needs which conflict with the through-traffic pattern. Now in the 1990's, strong evidence shows that the shift from Holladay to Roosevelt has been only a temporary solution. As development has moved eastward and regional traffic has become heavier, an entirely new highway location is needed. Such a major by-pass should be far enough east to avoid conflict with anticipated city development.

Although a by-pass would help alleviate the current inadequate separation of local and through traffic, ongoing congestion on the existing alignment will still be an urgent problem.

The streets shown on the plan as "Major Arterials" should have the right-of-way over other streets so the Public Facilities Plan becomes a guide for placement of traffic control devices such as stop signs.

Bike trails should be developed if they are feasible.

The City of Seaside owns and operates the Seaside State Airport. Additional property adjoining the airport has been obtained by the city to provide for expansion.

A mass transit system is not feasible in Seaside at the present time; however, there is a mini-van service for the elderly and handicapped.

If any effort is made to develop a county-wide or regional mass transit system, the City of Seaside will work with the Clatsop County on the development of such a system.

## **8.1 TRANSPORTATION POLICIES**

1. The improvement of traffic flow on U.S. 101 would be best accomplished by diverting as many vehicles as possible on a new by-pass route east of the city. Because of the lag time in construction, attention must be given to the near term improvement of existing U.S. 101.
2. The Planning Commission will review all proposed development on or adjacent to U.S. 101 to consider impacts of the development on the traffic carrying capacity and safety of U.S. 101.
3. The City of Seaside and the State Highway Division shall cooperate to reduce traffic congestion along U.S. 101, through:
  - a. Limitation of approach permits;
  - b. The requirement that new uses access onto side streets wherever possible; and
  - c. Widening or relocation of street right-of-ways, particularly in the south part of the city.
4. The city will participate in the Six-Year Highway Improvement Plan process and will cooperate with the CEDC subcommittee on transportation.
5. Seaside will discourage direct access from adjacent properties onto those highways designated as arterials wherever alternative access can be made.
6. The City of Seaside encourages the cooperation of private property owners in the development of a bike and trail system throughout Seaside for the use and enjoyment of the citizens of Seaside and visitors to the community.
7. The City of Seaside encourages the improvement and maintenance of the coastal Bike Route along U.S. 101 by the State Highway Department, and the Oregon Coast Trail, Bicentennial Trail, and Oregon Loop Trail by the State Parks and Recreation Department.
8. Future bike trails in the Seaside area shall be physically separated from vehicle lanes or on separate right-of-ways, if possible.
9. Energy conservation shall be achieved in Seaside by keeping future development within the Urban Growth Boundary in order to keep travel distance reasonable.
10. The city shall support the Area Agency on Aging's mini-van program which provides transportation for the elderly and physically handicapped.
11. The cities of Seaside and Gearhart, Clatsop County, the Port of Astoria, and the State Aeronautics Division should work together in retaining the Seaside Airport as a needed transportation facility.
12. The Seaside Airport clear-zone shall be protected from development that could conflict with aircraft approach safety or threaten surrounding development.

13. Land use compatibility with the air port clear zones shall be rated as follows:

Most Compatible: Open Space, Agriculture and Forest  
Recreation (parks)  
Industry  
Commercial

Least Compatible: Residential and Tourist Accommodations

## **8.2 ENERGY CONSERVATION**

Seaside relies upon individual transportation because there is no public transportation service within the city. There is limited inter-city bus service.

In the area of transportation, Seaside is encouraging and cooperating in the development of bike trails and walking paths. The city hopes that energy conservation will be achieved by keeping future development within a fairly compact Urban Growth Boundary in order to keep travel distance reasonable.

If any effort is made to develop a county-wide or regional mass transit system, Seaside will work with the Clatsop County on the development of such a system.

However, as a tourist and recreation center, Seaside's economic future relies on visitors being able to get to Seaside economically. Currently the only way this can occur is by automobile or bus. Since all visitor trips originate somewhere other than Seaside, the city cannot address this problem on its own.

In terms of energy conservation for commercial and residential heating, the city will enforce the building code which has insulation requirements for new construction which will reduce energy consumption.

## **8.3 ENERGY CONSERVATION POLICIES**

1. The City of Seaside shall support the statewide goal for conserving energy.
2. The City of Seaside will encourage the development of bike paths and hiking trails.
3. The City of Seaside will support any efforts to develop a county-wide or regional transit system.
4. The City of Seaside will enforce building code requirements that reduce energy consumption.

## **9.0 RECREATION, OPEN SPACE, AND HISTORIC AREAS**

Seaside is basically a tourist and recreation oriented city, making the parks and open space element of the Comprehensive Plan one of the most important elements. The Comprehensive Plan is divided into two types of recreation; active and passive.

Active recreation areas are where such sports as golf and playground activities take place. They include the parks and playgrounds and the golf course.

Passive recreation includes such things as walking or hiking and sightseeing. Obviously, some areas contain both active and passive recreation opportunities.

The major features of the park and open space plan element are the beach and sand dune areas and the greenway along the Necanicum River and Gnawing Creek. The Seaside beach, which is one of the major attractions, should be preserved in as natural a state as possible; however, because of the problems incurred by drifting sand covering the Promenade, the present beach sand removal program must be continued. The beach itself is under Oregon State jurisdiction and beach restrictions which apply to the entire Oregon Coast. Privately owned vehicles and horses are prohibited the entire length of the Seaside beach.

The sand dunes on the north of the spit at the mouth of the Necanicum River are a natural-like area. Use of the dune area must be consistent with the Beach and Dune policies.

City parks include Broadway Park, where the Sunset Empire Park and Recreation District pool is located; Cartwright Park, a neighborhood park in the south part of the city; and Goodman Park, a neighborhood park at the north end of the city. Quatat Park consists of docks, walkways and picnic areas on both banks of the Necanicum River between Avenue A and 1st Avenue.

Historic and scenic areas that should be preserved include the famous Seaside Turnaround, which is at the end of the Lewis and Clark Trail and affords a beautiful view of the Pacific Ocean for tourists and residents alike. The Promenade has been enjoyed by people since 1921. The Lewis and Clark Salt Cairn, where members of the Lewis and Clark expedition rendered salt from sea water, has been preserved and marked. The Logger Monument is on Seaside Chamber of Commerce property, and it is their responsibility to preserve it.

There is also a burial site, located near Avenue "U", of four Portuguese sailors who were washed ashore in 1865, which should be better marked and identified. There are several historic homes and structures that have been identified through the Seaside Inventory of Historic Resources.

A major recreation and scenic resource that has not been fully realized is the Necanicum River and Gnawing Creek. Quatat Marine Park and Estuary Park are a beginning, which should be expanded upon.

Fishing occurs from bridges in Seaside. The fishermen and traffic are not always compatible. The city should look into the possibility of developing a deck for fishing away from the travel portion of the bridge.

## **OPEN SPACE:**

In its broadest terms, open space is the opposite of development and would include yards and space around buildings, not used for parking.

The beginning point for the analysis of existing and potential open space is the vacant land map, which is compared to soil classifications for agriculture, flood plains, and fish and wildlife resources, to determine those lands that are vacant but have potential for development, and those that should be left as open space for recreation, conservation, or agricultural purposes.

All of the Floodway, as designated by the Flood Hazards Analysis of the Necanicum River by FEMA, are designated as Open Space or Aquatic Zones.

A major feature of the park and open space in Seaside is the beach and sand dune areas. The beach itself is the major tourist attraction.

The privately owned Seaside Golf course, of 113 acres, provides the needed open space and recreation for the area.

#### **9.1 RECREATION POLICIES:**

1. The city recognizes the importance of the beach as a recreational and economic resource of the area.
2. Recreation is recognized as a major economic resource of Seaside and as such all development decisions shall consider the impact of such development on the recreation and tourist resource of the community.
3. The amusement activities and business on Broadway are a part of the recreation opportunities of Seaside, and as such are encouraged; however, these commercial recreation activities shall be concentrated in the areas of west Broadway and not scattered throughout the city.
4. Future development proposals in areas where the proposed bike and foot trail is suggested shall be evaluated as to how the trail system might be incorporated into the proposed development.
5. The city recognizes the value of the Oregon Coast Trail as a recreation resource for the state and will protect the scenic character of the trail through its planning policies.
6. The city shall cooperate with the Sunset Empire Park and Recreation District and the Seaside School District in providing park and recreation facilities for the residents of the area.
7. The city will attempt to maintain and develop parks at the present ratio of 2 acres per 1000 population.
8. The city recognizes the importance of the Necanicum Estuary as a natural area and recreation resource. Attention should be given to improve public access using some of the unused adjacent street right-of-ways.

## **9.2 OPEN SPACE POLICIES**

1. The city of Seaside will cooperate with governmental agencies and special districts to protect identified, existing, or potential regulated open spaces such as publicly-owned lands, parks, cultural resources, and trails.
2. Development shall be discouraged or prohibited from designated open space through the use of farm use zoning, flood plain zoning, outright acquisition, or acquisition of development rights, and implementation of estuary policies.
3. Development will be carefully controlled in areas of important natural wildlife habitat, flood plains, steep slopes, historic sites, and areas of other unique features, including the Seaside midden.
4. The use of open space shall be limited to outdoor activities such as hiking or bicycle paths, outdoor recreation, grazing, small farming or garden plots, and simply unused conservation areas.
5. Open space buffer areas shall be provided to separate industrial areas from residential areas. These could be required landscaped setbacks where industrial zones are adjacent to residential areas.
6. All proposed development adjacent to designated open space shall be evaluated for the probable impact of the development on the open space.
7. At such time that a residential or other use is proposed for a portion of the Seaside Golf Course, the city shall require that the usefulness of the course be maintained through the realignment of the fairways, restricting construction to the fringe of the course, or other means.

## **9.3 FISH AND WILDLIFE POLICIES**

1. Seaside will cooperate with governmental agencies to conserve and protect identified fish and wildlife habitat.
2. The city recognizes the importance of riparian vegetation for fish and wildlife habitat, erosion, sediment, and runoff control, and will protect this resource through the Necanicum Estuary Plan and Implementation Ordinances.
3. Due to their value for fish and wildlife habitat, the marshes of the Necanicum Estuary and other identified significant freshwater wetlands shall be managed to protect their resource values. Uses in these areas shall be consistent with the protection of natural values.

## **9.4 HISTORIC AND ARCHEOLOGICAL POLICIES**

1. Sites in construction areas that have been identified as, or are found to have significant archaeological content, shall be protected from degradation and destruction.
2. Seaside will work with the Clatsop County Historical Society, the State Historic Preservation Office, and other interested and knowledgeable groups to encourage the preservation of identified sites of cultural, historic and archaeological interest.

3. The city shall explore the possibility of establishing a historic conservation district or districts to ensure the preservation of historic neighborhoods for the interest and enjoyment of future generations.
4. The city, under a 50% funding program through the State Historic Preservation Office, has conducted a historical sites survey to identify houses or sites for nomination to the State and National Register. The city has appointed a Landmarks Commission to determine how best to protect these resources.
5. The city shall encourage the preservation of the Seaside Golf Course, not only to reserve a recreational and historical asset to the community, but also to ensure the existence of open spaces in view of future development in the area.
6. Preservation of the Lewis and Clark Salt Cairn is the responsibility of the Federal Park System; however, the city will cooperate fully with the Federal Government to assure the maintenance and preservation of this important historic site.
7. The city shall continue to manage and protect historical sites under city ownership for their historical significance. Presently, there are no known conflicts with these sites. Where conflicts arise concerning historic or archaeological sites, the city will coordinate action with the Oregon Department of Transportation's State Historic Preservation Office.
8. There are presently no identified conflicts with the protection or maintenance of the county owned Sailor's Grave Historical Landmark. If any conflicts should arise in the future, Clatsop County shall coordinate any action regarding the Sailor's Grave with the City of Seaside and the Oregon Department of Transportation.
9. Preservation of the Loggers Monument, at the Seaside chamber of Commerce building, shall be encouraged by the city.

## **10.0 FORESTLANDS**

There are no commercial forest lands in the Seaside Urban Growth Boundary. The northeast portion of the city, the golf course, the Earl property to the south, and the Seaside Cove area have a Class II or III forest site class and provide a variety of urban non-commercial forest uses including open space, outdoor recreational uses, soil and slope stabilization, and wildlife and fisheries.

Commercial forest lands border the UGB on the southwest on Tillamook Head and on the east hills.

Non-commercial forest uses will be retained by the application of open space zoning and by retaining vegetation in hazardous, riparian, and shoreland areas. Selective harvesting is allowed within the Freshwater Wetland Zone, and the propagation of harvesting of forest products is allowed in the Exclusive Farm Use Zone.

The Forest Practices Act does not apply inside the Seaside Urban Growth Boundary; however, all of the Exclusive Farm Use Zone and some of the Freshwater Lake and Wetland Zone falls into an area that is inside the city limits but outside of the Urban Growth Boundary. In this area, only the Forest Practices Act applies and no city regulations can apply.

## **11.0 FLOOD AND EROSION POLICIES**

1. All developments in the 100 year Flood Hazard Areas shall be consistent with the City of Seaside's Flood Hazard Ordinance.
2. Development in areas subject to severe ocean flooding (velocity zone), other than the active Foredune, shall be constructed in such a way that hazards are minimized. A site specific investigation by a qualified expert shall be a prerequisite for all construction in the Velocity Zone.
3. Setbacks shall be required in implementing ordinances for all Estuarine and Freshwater areas to reduce flood or erosion hazards, and to protect riparian vegetation, and wildlife habitat. Within the buffer, no structures or uses which would be subject to erosion shall be allowed.
4. Agriculture, forestry, wildlife habitat, and recreation shall be preferred uses of flood prone areas, with all other uses encouraged to locate elsewhere.
5. The flow-carry capacity of flood plains shall be maintained so as to not increase flood hazards.
6. Prevention of erosion and sedimentation of the estuary shall be prompted through development practices and standards to be considered as a minimum; the extent of excavation and fill, re-vegetation of graded areas, and removal of natural vegetation.
7. Shore protection devices (seawall, riprap, etc.) shall be engineered by a qualified person in such a way that it is permanent and does not affect adjacent property.

## **11.1 GEOLOGIC HAZARDS POLICIES**

1. An HMP performed by a Certified Engineering Geologist registered in the State of Oregon or a registered Civil Engineer, registered in the State of Oregon, specializing in the area of Geotechnical Engineering, shall be prerequisite for development in the following areas:
  - a. Sites that are composed of areas with slopes of 15% or greater, sites that are situated adjacent to slopes of 15% or greater, or other sites as determined by the City Council, Planning Commission or Planning Director.
  - b. Areas upland from the Seaside Cove Area shown as landslide topography underlain by tertiary sedimentary rocks (TOMS) as shown in the maps accompanying the report, Environmental Geology of the Coastal Region of Tillamook and Clatsop County, by DOGMI. (Detailed soils mapping is not available for this area.)
  - c. Areas within an Active Dune Zone.
2. Development requirements for the areas listed above specifically, and the city generally, are:
  - a. Cut and fill methods of leveling lots shall be discouraged. Structures should be planned to preserve natural slopes as much as possible.



- b. Access roads and driveways shall follow the slope contour whenever possible to reduce the need for grading and filling.
  - c. Removal of vegetation shall occur only for those areas to be improved by the proposed development.
  - d. No development shall be allowed to block stream drainageways in any area or to increase the water level on adjacent property.
3. Construction may take place in the above listed areas only where the HMP indicates that safeguards can be developed which are adequate to protect life and property. Siting and construction shall be in conformance with the HMP. The Building Official may require an architect's or engineer's stamp on the building plans in addition to a geotechnical report.
  4. The SCS soils mapping of the Seaside Cove Area is complete and the city has incorporated this data into the Comprehensive Plan to determine areas of landslide hazard.

## **11.2 EROSION CONTROL POLICIES**

1. The City finds it is necessary to control activities that lead to soil erosion and sedimentation into watercourses, wetlands, riparian areas, public and private roadways caused by development activities, including clearing, grading, stripping, excavating, and filling of land.
2. The following activities are subject to erosion control protection measures as specified in the Seaside Zoning Ordinance: Any land disturbing activity (i.e. clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area in excess of 1000 square feet; Any land disturbing activity that will affect an area in excess of 500 square feet if the activity is within 25 feet of a stream, watercourse, or wetland; or an excavation, fill, or any combination thereof that will exceed 20 cubic yards on a lot or parcel that is less than or equal to 5000 square feet or 50 cubic yards on a lot or parcel that is greater than 5000 square feet.
3. The following activities are not subject to erosion control protection measures: Cutting brush where ground cover will remain intact; Routine maintenance of road drainage ditches by City Public Works employees; Emergency measures taken to clear roadways or to save endangered property.
4. The Seaside Zoning Ordinance shall provide standards for grading and erosion control that comply with Policies 11.2.1-3.

## **12.0 BEACHES AND DUNES POLICIES**

### Beach Policies:

Use regulations and policies for all beaches (defined as waterline to vegetation line) are set forth in the Oregon Beach Law, (ORS 390.605 et. Seq.). This law affirms the public's right to use of the beach. Policies in the state law include the following:

1. Improvements on beaches: Removal of sand, rock, mineral, marine growth and other natural products, and laying of pipe, cable, or conduit across beaches require permits. Permits are based on the following considerations, among others:
  - a. The public need for healthful, safe, aesthetic surroundings and conditions; the natural, scenic, recreational, and other resources of the areas; and the present and prospective need for conservation and development of those resources.
  - b. The physical characteristics or the changes in the physical characteristics of the area and the suitability of the area for particular uses and improvements.
  - c. The impact of the use on the site and adjacent areas is considered and the development is designed to minimize adverse environmental effects, and,
  - d. The need for recreation and other facilities and enterprises in the future development of the area and the need for access to particular sites in the area.
2. Residential development and commercial and industrial buildings are prohibited on beaches.

Dunes Policies:

1. Residential development, commercial, and industrial buildings are prohibited in areas designated as active foredunes, conditionally stable dunes subject to ocean undercutting or wave overtopping, and deflation zones that are subject to flooding. Permitted uses in these areas shall be those which are low intensity which do not contribute to the removal of sand or vegetation and which could be easily removed in the event of ocean flooding or other hazards. Development in these areas shall be permitted only if it is demonstrated that the proposed development:
  - a. Is adequately protected from any geological hazards, wind erosion, undercutting, ocean flooding, and storm waves;
  - b. Adequate setbacks for structures are provided by considering the rate of erosion together with the anticipated life of any structure.
  - c. The impact of the use on the site and adjacent areas is considered, and the development is designed to minimize adverse environmental effects; and
  - d. Includes a temporary and permanent stabilization program, methods for protecting adjacent areas, and maintenance of new and existing vegetation.
2. Site specific investigations in all dune areas, except older stabilized dunes, by a qualified expert shall be required for permitted uses or activities in active dune areas. Site reports shall be provided by the developer and the city may submit the report to agencies for evaluation.
3. Foredunes may only be breached on a temporary basis, such as in the case of an emergency (i.e., fire control, cleaning up oil spills, and alleviating flood hazards). In all cases, the breaching and restoration after breaching should be consistent with the principles of conservation.

4. Due to their poor stability for development and high values as a wildlife habitat, deflation plains, wet for all or part of the year, shall be maintained in their natural state to the greatest extent possible.
5. Removal of vegetation during construction in any sand area shall be kept to the minimum required for building placement or other valid purpose. Permanent re-vegetation shall be started on the site as soon as practical after construction, final grading, or utility placement.
6. Dune groundwater shall be protected from drawdown which would lead to loss of stabilizing vegetation or loss of water quality through local, state, and federal plans, implementing actions, and permit reviews.
7. Criteria for placement of beach front protective structures shall that:
  - a. Visual impacts are minimize;
  - b. Necessary access to the beach is maintained;
  - c. Negative impacts on adjacent property are minimized; and
  - d. Long term or recurring costs to the public are avoided.
8. The above criteria shall apply to protective structures both on the public beach and east of the state zone or vegetation line.
9. With the exception of the following areas, all areas within the urban growth boundary were developed as of January 1, 1997:
  - a. The area oceanward of the Prom between Avenue E and Avenue U;
  - b. The area between benchmark C1-7-42 and C1-7-44 on the ODOT beach zone line aerials.

“Development” is defined as houses, commercial and industrial buildings, and vacant SubDivision lots which are physically improved through construction of streets and provision of utilities to the lot, and includes areas where an exception to Goal 18 Implementation Requirement 2 has been approved.
10. Grading or sand movement necessary to maintain view or to prevent sand inundation may be allowed for structures in foredune areas only if the area is committed to development and is within an acknowledged urban growth boundary and only as part of an overall plan for maintaining foredune grading. A foredune grading plan shall include the following elements based on consideration of factors affecting the stability of the shoreline to be managed including sources of sand, ocean flooding, and patterns of accretion and erosion (including wind erosion) and effects of beachfront protective structures and jetties. The plan shall:
  - a. Cover an entire beach and foredune area subject to an accretion problem, including adjacent areas potentially affected by changes in flooding, erosion, or accretion as a result of dune grading;

- b. Specify minimum dune height and width requirements to be maintained for protection from flooding and erosion. The minimum height for flood protection is 4 feet above the 100 year flood elevation;
- c. Identify and set priorities for low and narrow dune areas which need to be built up;
- d. Prescribe standards for redistribution of sand and temporary and permanent stabilization measures, including the timing of these activities; and
- e. Prohibit removal of sand from the beach-foredune system.

### **THE CITY OF SEASIDE FOREDUNE MANAGEMENT PLAN:**

The City of Seaside Foredune Management Plan is adopted by reference in its entirety. The set of documents which constitute the plan are:

- the management strategy which includes a goal exception;
- maintenance and monitoring programs; and
- the background report.

The Introduction and Overview sections of the City of Seaside Foredune Management Plan strategy document are given below.

### **INTRODUCTION**

Like the rest of the Clatsop Plains, the shoreline fronting Seaside has a long history of westward migration due to sand accumulation in the foredune area. At Seaside this increase in beach and dune sand volume has enhanced ocean erosion/flood protection potential beyond what is already afforded by the Promenade wall. However, it has also presented problems for Seaside residents and visitors alike, as the accumulating sand and the accompanying growth in height and width of the foredune area has led to the inundation of oceanfront homes, the restriction of ocean views, and the blockage of beach access points. Maintenance of the recreational opportunities afforded by the open sand beach and commanding ocean views from the Promenade are particularly important in Seaside, as these long established uses are an integral component of the City's tourist-based economy.

Although the shoreline fronting Seaside has experienced net accretion over the long term, portions of the management area have been shown to be susceptible to episodic wave-induced erosion and flooding. Specifically, the northern portion of the management area, near the Necanicum River inlet, is particularly susceptible to wave attack during extreme winter storms and accompanying inlet migration. In 1985 for example, shoreline retreat in this area occurred to the extent that rip rap was required to protect oceanfront homes. Prior to this erosion event, the area had been experiencing excessive sand accumulation. Also, ocean flooding associated with tsunami runup in the past appears to have been focused at both the northern and southern extremes of the management area. Thus, maintenance of ocean erosion/flood protection in the management area can not be neglected.

## **OVERALL OBJECTIVES**

Following from the above considerations, the overall objectives of the proposed foredune management strategy are:

To maintain and/or enhance ocean erosion/flood protective functions of the foredune area;

To maintain and/or enhance public access to established facilities and to recreational uses associated with the open sand beach; and

To maintain and/or enhance ocean views from the Promenade and correspondingly minimize inundation brought about by excessive accumulation of wind-blown sand.

## **OVERALL STRATEGY**

### **Initial Implementation (Years 0-2)**

As reflected in the content of this document, the primary focus of the first phase of the proposed foredune management strategy is on initial implementation of prescribed foredune management practices. In this regard, the recognition of quasi-independent management units within the overall management area constitutes the framework of the proposed foredune management strategy (Figure 1). Management units are delineated on the basis of similarities in physical process setting and established uses. For each management unit the priority of the management objectives identified above is established on the same basis. The result is that different types of management practices are prescribed for the different management units. In this way, potentially conflicting objectives are balanced within an area-wide context.

What is summarized briefly below, and described in detail in subsequent sections, is a conservative approach to foredune management (also see Table 1). For the most part, initial implementation of the proposed foredune management strategy focuses on providing for the continuation of past management activities in a comprehensive, coordinated manner. Even in those areas where a goal exception to allow foredune grading below the '100 plus 4' height minimum will apply, alterations will remain limited in scope. In contrast to the foredune management practices conducted previously, the limited foredune grading and sand removal activities contemplated under the proposed strategy will be conducted in the context of area-wide monitoring and maintenance. Further, in contrast to the foredune management practices conducted previously, retention of sand within the beach-foredune system is required under the proposed strategy.

Under the proposed foredune management strategy, foredune grading and sand removal are concentrated in the central portion of the management area, in the vicinity of the Promenade Turnaround. This area has a long history of high recreational use. The

purpose of the prescribed management practices is to maintain or enhance these uses (e.g. access to public facilities and recreational opportunities afforded by the open sand beach). Foredune grading and removal, comparable to that envisioned under the proposed strategy, have been carried out in this area on a regular basis since at least 1980.

Under the proposed foredune management strategy, selective vegetative stabilization (e.g. planting and fertilizing) are generally concentrated in the northern portions of the management area, where changes in the foredune area have been the most dramatic. The proposed foredune management strategy provides for limited foredune grading in areas where growth in the height and width of the foredune area has continued on a regular basis. In eroded foredune areas, provisions are made for nourishment through bypassing or backpassing. The purpose of these prescribed management practices is to maintain or enhance erosion/flood protection potential. Such practices have not been an integral part of foredune management in the past.

Finally, in the southern portions of the management area, where changes in the foredune area have been the least dramatic, active management under the proposed foredune management strategy is limited to foredune maintenance (e.g. mowing beachgrass).

### **Monitoring and Maintenance (Years 0-2)**

Although much of the first two years foredune management efforts will focus on initial implementation of prescribed management practices, attention will also be given to the implementation of monitoring and maintenance elements of the foredune management plan during this time. Close monitoring of management activities is called for as part of the proposed foredune management strategy. In general, monitoring will involve the quarterly and after large storm inspection of active management areas, together with the regular collection of baseline process and form information (e.g. wind and wave data, beach profiles, etc.). Recommended project monitoring measures are detailed in the Monitoring Program document. Maintenance activities to be carried out during the first two years of strategy implementation will generally consist of regular repair planting and fertilization. Recommended maintenance measures are addressed in further detail in the Maintenance Program document.

At the end of the first two years of foredune management efforts, a preliminary evaluation of the foredune management strategy will be conducted and summarized in a report format. This evaluation will primarily involve a determination of the extent to which objectives identified in the strategy have been achieved (e.g. existing profile elevations/volumes versus design profile elevations/volumes, percent vegetation cover and degree of foredune stabilization, extent of access to public facilities, extent of ocean views from the promenade, etc.).

### **Monitoring and Maintenance (Years 3-5)**

Maintenance and monitoring activities are the focus of the second phase of the

proposed foredune management strategy. As noted above, recommended project monitoring and maintenance measures are detailed in the Monitoring Program and Maintenance Program documents respectively. At the end of the five year period of foredune management efforts, it is envisioned that a detailed evaluation of the foredune management strategy will be conducted and summarized in a report format. This evaluation will involve not only a determination of the extent to which objectives identified in the strategy have been achieved (e.g. existing profile elevations/volumes versus design profile elevations/volumes, percent vegetation cover and degree of foredune stabilization, extent of access to public facilities, extent of ocean views from the promenade, etc.), but also a review and update of background information upon which the strategy is based. Also, as part of such an evaluation, consideration will be given to allowing more extensive alterations to the foredune area than those currently envisioned in the proposed foredune management strategy.

### **Citizen Involvement**

Before presenting the details of the proposed foredune management strategy, it should be noted that a high level of citizen involvement has occurred and will continue to occur throughout its development and implementation. Specifically, the proposed foredune management strategy outlined in this document has been presented for informal public review and comment in a workshop prior to its formal review in a public hearing. Also, as a means of ensuring continued citizen involvement, efforts are underway to meet project monitoring needs through the use of student and citizen volunteers. Finally, recommendations regarding an enhanced resident and visitor information/education program are contained in a special Recreational Use element of the proposed foredune management strategy.

### **Reasons Exception to Statewide Planning Goal 18 Implementation Requirement 7b for the City of Seaside, Oregon to Allow Foredune Grading Below the '100 plus 4' Height Minimum under the City of Seaside Foredune Management Plan:**

Pursuant to OAR 660 Division 4, findings of fact are presented below to support a conclusion that the standards for a "reasons" exception have been met. The purpose of this exception is to allow the city, as part of its foredune management plan, to grade the foredune below the '100 year plus 4' height minimum required by Statewide Planning Goal 18 Implementation Requirement 7b.

This exception applies only to management units described as the 'Central Management Unit' - from 5th Street south to Avenue E - and 'the southern subunit of the North Central Management Unit' - from 12th Street south to 5th Street- in the foredune management plan strategy document (Exhibit A). In these designated areas, foredune grading below the required '100 year plus 4 foot' elevation of 24 feet above Mean Seal Level will be allowed.

This exception is to remain valid for a period of five years from the date of implementation of the foredune management plan. If identified monitoring and

maintenance programs fail to be carried out during this time, then this exception will become invalid (Exhibits B and C). Also, if unforeseen circumstances, such as a major erosion event, occur during this time, then this exception will become invalid. At the end of the five year implementation period an evaluation of the success of the dune management strategy will occur prior to adoption of a new exception pursuant to OAR 660 Division 4. The evaluation of the success of the foredune management strategy will involve not only a determination of the extent to which objectives identified in the strategy have been achieved (e.g. existing profile elevations and volumes versus design profile elevations and volumes, percent vegetation cover and degree of foredune stabilization, extent of access to public facilities, extent of ocean views from the promenade, etc.), but will also involve a review and update of background information upon which the strategy is based.

## **I. JUSTIFICATION**

**STANDARDS: OAR 660-04-020 (2) (a) 'reasons', 660-04-022 (1) (a) 'demonstrated need', and 660-04-022 (1) (c) 'special features'.**

**FINDINGS:** Demonstrated Need and Special Features

Recreational opportunities afforded by Seaside's wide, white sand beach and the ability to take in the commanding ocean views from the Promenade have long been integral components of Seaside's tourist-based economy, as well as its character.

Seaside first became recognized as a tourist resort with the opening of the 'Summer House' in 1852. In 1870 Ben Holladay built the 'Seaside House', a major resort hotel that included a race track and stable of horses. By the turn of the century Seaside, in response to the railroad now bringing thousands of visitors to its beaches, was building up its beach city. In 1902 for example, four daily trains brought 5,000 - 10,000 vacationers to the numerous hotels and stores that existed in the community of Seaside. By 1910, the number of trains coming and going from Seaside daily had expanded to seven.

In 1920, the Promenade, with its Turnaround at the end of Broadway was constructed along 8010 feet of beach. With 25,000 to 30,00 people attending its dedication, the 'Prom' quickly became a famous landmark unique to Seaside. Since that time, the ability to walk along the Promenade and take in the ocean views has drawn visitors, as well as residents, to Seaside.

After the opening of the Sunset Highway in 1938, the automobile became the major means of transportation to Seaside. The continued expansion of transportation facilities, combined with a more mobile, travel-oriented population has resulted in Seaside becoming a major tourist destination on the Oregon coast. These tourists support a community that today has 1000+ hotel-motel rooms (600 of which are on the beach), 56 restaurants, and 84 retail shops. It is estimated that \$30,000,000, or 60%, of Seaside's total economy of \$50,000,000 comes directly from the up to 25,000- 30,000 tourists that visit Seaside daily.



Kite flying tournaments, a volleyball tournament, sand castle building contests, beach runs such as the Hood to Coast run, as well as 4th of July festivities are but a few of the beach-oriented activities tourists come to Seaside to take part in. It is the central portion of Seaside's beach, the open sand area in the vicinity of the Promenade Turnaround, that is the locus of such activities.

Failure to manage beach accretion and the accompanying growth of dunes that has occurred in recent years in a manner which maintains the long established recreational uses on Seaside's beach and the ocean views from the Promenade, would have a significant impact on Seaside's tourist-based economy. Strict application of Statewide Planning Goal 18 requirements pertaining to foredune grading would, for example, necessitate the closure of the restroom facilities located at the Promenade Turnaround, as the elevation of the doors to these facilities is below that allowed by Goal 18. In this regard, foredune grading to an elevation of 14 feet above Mean Sea Level (MSL) is needed to maintain the use of the facilities in Promenade Turnaround area (see Attached Plan Map of Managed Foredune Configuration and Exhibit A: Management Strategy). Similarly, observations show that strict application of Statewide Planning Goal 18 requirements, requiring a 24 foot MSL foredune elevation in this instance, would result in a significant loss of ocean views from along the Promenade. In this regard, foredune grading to an elevation of 18 feet MSL is needed to maintain ocean views from along the north central portion of the Promenade (see Attached Plan Map of Managed Foredune Configuration and Exhibit A: Management Strategy). Thus, the foredune grading provided for in this exception is the minimum needed to maintain the long established recreational uses on Seaside's beach and the ocean views from the Promenade. Further, the existence of the Promenade Wall is a feature unique to Seaside. This special feature, which provides a level of flood and erosion protection beyond that which occurs naturally, is considered further below.

## **II. ALTERNATIVE AREAS:**

### **STANDARDS: OAR 660-04-020 (2) (b, c)**

**FINDINGS:** An exception would be required to grade below the '100 plus 4' minimum elevation of 24 feet above MSL in any of the identified management units. As the established uses and activities to be maintained are specific to the two management units where an exception to allow grading below the '100 plus 4' minimum is being proposed, an exception to allow grading in other management units would not address the identified need. Thus, there are no alternative beach and dune areas available to the City.

Some of the established uses and activities that take place in the immediate vicinity of the Promenade Turnaround, such as volleyball tournaments or 4th of July festivities could be carried out elsewhere in Seaside. However, by their very nature the uses and activities that take place in the immediate vicinity of the Promenade Turnaround are beach oriented. In particular, it is the beach in the immediate vicinity of the Promenade

Turnaround that for almost 150 years has attracted such a unique concentration of beach-oriented uses and activities. Thus, non-beach and dune areas that might be available to the City do not represent a reasonable alternative.

### **III. COMPATIBILITY**

#### **STANDARD: OAR 660-04-020 (2) (c,d)**

#### **FINDINGS: Compatibility With Adjacent Uses and Measures Designed to Reduce Adverse Impacts**

As noted above, elevations of 14 and 18 feet above Mean Sea Level have been identified as the heights needed to maintain established uses and activities in the area extending from Avenue E to 5th Street and 5th Street to 12th Street respectively. (These elevations are based on a combination of past permitted foredune grading practices and visual observations of views from the Promenade). Thus, with respect to compatibility/adverse impacts, the primary issue to be addressed is how foredune grading below the '100 plus 4' minimum will be carried out in a manner that maintains flood and erosion protection.

The Promenade is a wide paved walkway fronted by a concrete seawall and sitting on cobble beach rock. The concrete Promenade wall extends across the entire length of the shoreline where the exception to allow grading below the '100 plus 4' minimum would apply. The elevation of the Promenade wall in this area ranges from 20-24 feet above Mean Sea Level (MSL). Further, a concrete guard railing extends 3 feet above the top of the Promenade wall over much of this area. The Federal Emergency Management Agency (FEMA) has determined the 100 year flood hazard elevation to be 20 feet above MSL across the entire length of the beach fronting Seaside (Exhibit D). Thus, by sitting at or above the projected 100 year flood hazard elevation, the Promenade wall provides a level of ocean erosion/flood protection that does not exist in natural foredune areas. The existence of the Promenade wall ensures that flood and erosion protection in Seaside is maintained at least at a level commensurate with that required by FEMA. Foredune grading allowed under this exception will not alter the erosion/flood protection afforded by the Promenade wall.

A review of historical shoreline changes within the management area reveals a long-term trend of westward shoreline migration (Exhibit E). The 400+ feet of shoreline accretion that has occurred over the last 70 years is the most recent manifestation of a process of gradual sand deposition that has taken place over the last 5,000 years and resulted in the formation of Clatsop Plains. Sand accumulation within the foredune area has been most marked in the central and northern portions of the management area, areas where the exception will apply. This steady increase in beach and dune sand volume has enhanced ocean erosion/flood protection potential beyond what is already afforded by the Promenade wall. Thus, as a result of net accretion, ocean erosion/flood protection has not historically been a concern across the entire length of the shoreline where this exception to allow grading below the '100 plus 4' minimum would apply. Rather, it has presented problems for Seaside residents and visitors alike as the

accumulating sand and the accompanying growth in height and width of the foredune area has led to the inundation of oceanfront homes, the restriction of ocean views, and the blockage of beach access points. The foredune grading that is provided for under this exception is limited to that needed to alleviate these problems: Large volumes of sand will remain in the foredune area. Specifically, design sand volumes within the exception areas are approximately equivalent to existing sand volumes. Further, ocean erosion/flood protection potential beyond what is already afforded by the Promenade wall will not only continue to exist, but because sand will be distributed more evenly throughout the management area, will be enhanced in some areas.

The City of Seaside has had an on-going permit for maintenance activities in the Promenade Turnaround area that dates back at least as far as 1980. These maintenance activities have consisted of foredune grading and off-site sand removal. The limited foredune grading to be provided for under this exception is comparable in scope to that which has been permitted in the past. In contrast to past maintenance activities however, the limited foredune grading allowed under this exception will in the future be conducted in the context of area-wide monitoring and maintenance. Further, in contrast to past permitted maintenance activities, off-site sand removal will in the future be prohibited. The result will be that sand is retained within the beach-foredune system.

Finally, as stated earlier, this exception is to remain valid for a period of five years from the date of implementation of the foredune management plan. This exception will become invalid should identified monitoring and maintenance programs fail to be carried out during this time (Exhibits B and C). Also, unforeseen circumstances, such as a major erosion event, will also render this exception invalid during this time. At the end of the five year implementation period, an evaluation of the success of the dune management strategy employed will occur prior to adoption of a new exception pursuant to OAR 660 Division 4. The evaluation of the success of the foredune management strategy employed will involve not only a determination of the extent to which objectives identified in the strategy have been achieved (e.g. existing profile elevations/volumes versus design profile elevations/volumes, percent vegetation cover and degree of foredune stabilization, extent of access to public facilities, extent of ocean views from the promenade, etc.), but also a review and update of background information upon which the strategy is based. These special provisions of the exception are intended to ensure that foredune grading will occur in a manner that is compatible with adjacent uses and has minimal adverse impacts. It should be noted in this regard that initially there is potential for increased sand inundation. However this potential will diminish over time through implementation of the proposed foredune management strategy.

#### EXHIBITS:

Exhibit A: City of Seaside Foredune Management Plan: Management Strategy

Exhibit B: City of Seaside Foredune Management Plan: Monitoring Program

Exhibit C City of Seaside Foredune Management Plan: Maintenance Program

Exhibit D: F.I.R.M. (Flood Insurance Rate Map), 1981. Community #410032, Panel  
Numbers 001 and 0002c, Revised 10/27/81.

Exhibit E: City of Seaside Foredune Management Plan: Background Report

### 13.0 ESTUARINE AND SHORELANDS RESOURCES

(NOTE: Necanicum Estuary Plan introductions and policies are incorporated in this Comprehensive Plan as a whole.)

#### 13.1 OVER GOALS AND POLICIES

**PURPOSE:** The purpose of the following goals and policies is to establish basis for the conservation and development of the Necanicum Estuary. As mandated by the State Estuarine Resources Goal, the Comprehensive Plan must recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands. As a conservation estuary, the Necanicum is designated for long term uses that do not require major alteration of the estuary, except for purposes of restoration. Specific policies and standards are meant to support and further the goals.

**GOAL 1:** To maintain all identified marsh areas in their natural, productive condition.

**Policy 1-A:** The general priority (from highest to lowest) for use of estuarine resources shall be:

- a. Uses which maintain the integrity of the estuarine ecosystem;
- b. Water dependent uses requiring estuarine location consistent with the Oregon Estuarine Classification;
- c. Water related uses which do not degrade the natural estuarine resources and values; and
- d. Non-dependent, non-related uses which do not alter, reduce or degrade the estuarine resources and values.

**Policy 1-B:** Dredging and fill shall be permitted only in conjunction with following uses:

- a. Maintenance of existing structures and facilities, including structures and facilities existing as of October 7, 1977, and facilities allowed in aquatic zones;
- b. Boat ramps or other high intensity water dependent recreational uses in Aquatic conservation Zones;
- c. Installation of bridge crossing support structures, pipelines, cables and utility crossings or communication facilities;
- d. Tidegate installation in existing functional dikes;
- e. Installation of storm water or sanitary sewer outfalls in Aquatic Conservation Zones;
- f. An approved active restoration or estuarine enhancement or mitigation project;
- g. Temporary alterations;

- h. Minor navigational improvements.

Policy 1-C: Dredging shall be allowed only in conjunction with a permitted use or activity. Dredging shall not be permitted unless it can be shown that there is a public need and that adverse impacts are minimized as much as possible.

There are presently no uses in the Seaside portion of the Necanicum Estuary which require dredging. The uses permitted by the Seaside Zoning Ordinance that may require some dredging are marinas, aquaculture, and boat ramps. It is anticipated that any marina development would be small in scale. Therefore, these uses are not anticipated to generate sufficient dredge material to warrant the protection of specific dredge material disposal sites at this time. However, uses which generate dredge material shall develop a dredge material disposal program for the estuary prior to the issuance of a permit. If such projects would also require mitigation, a mitigation plan for the estuary shall also be developed.

- a. Natural management units: Active restoration of fish and wildlife habitat or water quality and estuarine enhancement; communication facilities; boat ramps; pipelines, cables and utility crossing; temporary alternations; and bridge crossing support structures.
- b. Conservation management units: High intensity water-dependent recreation; aquaculture requiring dredging or fill or other alteration of the estuary; active restoration for purposes other than restoration of fish and wildlife habitat or water quality and estuarine enhancement; and temporary alterations.

Policy 1-D: The following uses and activities shall be permitted only after a demonstration that they are consistent with the resource capabilities of the area and the purposes of the management unit.

- a. Natural management units: Active restoration of fish and wildlife habitat or water quality and estuarine enhancement; communication facilities; boat ramps; pipelines, cables and utility crossings; temporary alterations; and bridge crossing support structures.
- b. Conservation management units: High intensity water-dependent recreation; aquaculture requiring dredging or fill or other alteration of the estuary; active restoration for purposes other than restoration of fish and wildlife habitat or water quality and estuarine enhancement; and temporary alterations.

Policy 1-E: Where a use requires an estuarine location, construction on pilings is preferred to filling.

GOAL 2: To manage areas and uses adjacent to marshes to protect the integrity of the marshes themselves.

Policy 2-A: Development that takes place in areas upland from the estuary shall respect the natural functions of the adjacent water areas. Shoreland standards should include as a minimum: control of vegetation removal, storm water

runoff, and public access. A general rule should be the more intensive the development, the more careful the control of adverse impacts.

Policy 2-B: The proliferation of individual single-purpose docks and piers shall be controlled through the encouragement of community facilities common to several uses and interests. The size and shape of docks and piers shall be limited to that required for the intended use. Alternatives to docks and piers, such as mooring buoys, dryland storage, and launching ramps shall be investigated and considered.

GOAL 3: To encourage the restoration of the estuary and its physical and biological resources.

Policy 3-A: All jurisdictions and organizations with an interest in the productivity of the estuary should work together to encourage the U.S. Army Corps of Engineers or other agency to investigate the restoration of the mouth of the estuary in order to improve tidal and salinity patterns.

Policy 3-B: Development that takes place in areas adjacent to natural estuarine designations shall be carefully reviewed to insure that it is designed in a manner that will protect the integrity and function of the natural area. Additional buffers, setbacks, or other controls may be required in order to carry out this policy.

Policy 3-C: Adverse impacts to estuarine resources resulting from dredge or fill activities permitted in intertidal or tidal marsh areas shall be mitigated by creation, restoration, or enhancement of an estuarine area(s). The objective shall be to improve or maintain the functional characteristics and processes of the estuary, such as its natural biological productivity, habitats, species diversity, unique features, and water quality.

Actions exempted from the mitigation requirement above include:

- a. Removal or filling of less than 50 cubic yards of material or when an Oregon State Removal and Fill Permit is not otherwise required;
- b. Filling for repair and maintenance of existing functional dikes when there is negligible physical or biological damage to tidal marsh or intertidal areas.
- c. Riprap to allow protection of an existing bank line with clean, durable erosion resistant material provided that the need for riprap protection is demonstrated and that this need cannot be met with natural vegetation, and no appreciable increase in existing upland occurs;
- d. Filling for repair and maintenance of existing roads when there is negligible physical or biological damage to tidal marsh or intertidal areas;
- e. Dredging or filling required as part of an estuarine resource creation, restoration or enhancement project agreed to by local, state, and federal agencies; and

- f. Other proposed projects or activities where, upon determination of the Oregon Division of State Lands, the proposed alteration would have negligible physical, biological, and water quality impacts.

Comprehensive plans shall designate and protect specific sites for mitigation which generally correspond to the types and quantity of intertidal area proposed for dredging or filling, or make findings demonstrating that it is not possible to do so.

GOAL 4: To achieve an improved level of water quality in the estuary by the improvement of wastewater discharge, the careful control of storm water runoff, and the prevention of erosion of upland areas.

Policy 4-A: The City of Seaside has rebuilt its sewage treatment plant. The present level of discharge meets all DEQ water quality requirements.

Policy 4-B: Because of the potential damage storm water runoff can cause in estuaries, standards for storm water drainage systems shall provide for the use of natural drainage systems (streams, etc.) wherever possible and for the dispersion of storm water from parking lots and streets prior to entering the estuary. Storm water outfalls shall always be directed away from significant marshes and tide flats.

GOAL 5: To protect riparian (stream bank) vegetation within the Necanicum Estuary.

Policy 5-A: Stream bank vegetation shall be protected in order to provide wildlife habitat, prevent shoreline erosion, filter storm runoff, protect structures from flood hazards, and for aesthetic purposes. Wherever vegetation must be removed for riprap, public access, bridge placement, and so forth, efforts shall be made to replant after construction.

Policy 5-B: Through the building permit, zoning and SubDivision processes, the city shall provide for setbacks of structures, fills or other alterations from the shoreline.

GOAL 6: To protect fish and wildlife habitat throughout the Necanicum estuary.

Policy 6-A: Fish and wildlife habitat of the Necanicum estuary system contribute a great deal to the environmental quality and to the economy of the area. Actions that would reduce the habitat value of the estuary shall be carefully evaluated in this light. The Oregon Department of Fish and Wildlife shall be consulted whenever such actions are proposed in order to determine the impacts.

GOAL 7: To increase the public understanding of the value and functioning of the estuary and the river.

Policy 7-A: The city strongly encourages the school district and the community college to continue programs in marine ecology and oceanography in order to promote this goal.

Policy 7-B: The city should participate in a regional organization such as CREST that maintains the staff capability of evaluating development proposals and working with resource agencies.

Policy 7-C: Public access to the estuary shall be encouraged; development shall be reviewed as to how access will be provided.

GOAL 8: To foster cooperation among jurisdictions and agencies in the management of the estuary.

Policy 8-A: Since actions in the estuary extend beyond corporate boundaries, all jurisdictions on the estuary shall participate in the evaluation of development proposals affecting the estuary. This may be carried out in the conditional use or SubDivision permit process at the local level. The Oregon Department of Fish and Wildlife shall be used as a resource to evaluate the proposals.

Policy 8-B: The City of Seaside recognizes the authority of the following State Agency statutes in managing activities that may affect the estuary's water quality:

- a. The Oregon Forest Practices Act and Administrative Rules, for forest lands as defined in ORS 527.610-527.730, and 527.990;
- b. The programs of the Soil and Water Conservation Commission and local districts and the Soil Conservation Service;
- c. The Non-point Source Discharge Water Quality Program administered by the Department of Environmental Quality under Section 208 of the Federal Water Quality Act as amended in 1972 (PL 92-500); and
- d. The Fill and Removal Permit Program administered by the Division of State Lands under ORS 541-605 - 541-665.

GOAL 9: To develop an implementation procedure that insures that estuarine development actions are consistent with the Estuarine Resource Goal of the State-wide Planning Goals.

Policy 9-A: Where a use could potentially alter the estuarine ecosystem, the city shall require a clear presentation of the impacts of the proposed alteration. An impact assessment procedure is set forth in the Zoning Ordinance. The impact assessment will be used to identify potential alterations of estuarine resources and values, determine whether potential impacts can be avoided and minimized, and to provide factual base information to assure applicable policies and standards will be met. If the city requires additional information of an applicant, the city shall specify the nature of the information and shall limit the assessment to addressing those standards and policies that the city determines are relevant.

Policy 9-B: Goal 16 requires that dredge or fill be allowed only:

- a. If required for navigation or other water dependent uses that require an estuarine location, or if specifically allowed by the applicable management unit requirement of this goal; and
- b. If a need (i.e. a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and



- c. If no feasible alternative upland locations exist; and
- d. If adverse impacts are minimized as much as feasible.

Other uses and activities which could alter the estuary shall only be allowed if the requirements in (b), (c), and (d) are met. All or portions of these requirements may be applied at the time of plan development for actions identified in the plan. Otherwise they shall be applied at the time of permit review.

In addition to the Necanicum Estuary Plan Policies, the City of Seaside also establishes the following policies:

1. Expand definitions that accompany the permitted use table.
  - a. Use is the end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities.
  - b. Activity is any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Most activities may take place in conjunction with a variety of uses.
2. Permitted with Standards, (PS). Uses and activities may be undertaken, after a Planning Commission review, subject to:
  - a. Policies of the Comprehensive Plan.
  - b. The general requirement that the use or activity be designed and conducted in a manner that will minimize, so far as practical, any resultant damage to both the ecosystems of affected aquatic and shoreland areas and the public's use of the water, and
  - c. The standards of the Zoning and SubDivision Ordinances.
3. Conditional, (C). Uses and activities are permitted on an individual basis after a public hearing before the Planning Commission. The use or activity must be found to be consistent with:
  - a. Policies of the Comprehensive Plan;
  - b. The standards of the Zoning and SubDivision Ordinances;
  - c. The general requirement that the use or activity be designed and conducted in a manner that will minimize, so far as practical, any resultant damage to both the ecosystem of aquatic and shoreline areas and the public's use of the water; and
4. Uses and activities must also be consistent with applicable state and federal agency permits and regulations.

Policy 9-C: The city shall coordinate any change of the Necanicum Estuary Plan with Clatsop County and the City of Gearhart during future updates of periodic reviews.

## 13.2 THE ESTUARY SHORELANDS BOUNDARY

The Necanicum Estuary Boundary, as discussed, was drawn around all water bodies, salt marshes, tideflats, and freshwater marshes adjacent to the Necanicum River and its tributaries. The line of mean higher high water (MHHW) was used in most cases, but in some situations the line of non-aquatic vegetation was more appropriate.

The Shorelands Boundary as drawn includes all areas which fall within the seven identification factors of Goal 17. The methodology used to establish the Coastal Shoreland Boundary is described in the Coastal Shoreland Boundary section of the background report.

The Estuary and Shorelands boundaries were drawn by the Estuary Committee using a composite aerial photos (Scale 1" = 100'). The photogrammetry at two foot contour intervals was done by CH2M-Hill in 1973 as part of the HUD Flood Study.

### **13.2.1 SHORELANDS POLICIES**

#### **1. Protection of the Marsh Areas:**

Development of land adjacent to marshes can have a serious effect on the biological integrity of the marsh itself. In order to ensure compatibility, standards shall control the development through shoreline setbacks, protection of riparian vegetation, control and setbacks of fills, maintenance of natural drainage patterns, careful placement of storm water and other utility systems, and aesthetic standards. Particular attention shall be given to the control of erosion adjacent to water areas. Temporary measures to control runoff during construction shall be employed and re-vegetation plans shall be filed with the building permits. Uses that could contaminate adjacent marsh areas, such as gasoline stations or oil depots, shall be prohibited.

#### **2. Shoreline Stabilization:**

General priorities for shoreline stabilization for erosion control are (from highest to lowest):

- a. Proper maintenance of existing riparian vegetation;
- b. Planting of riparian vegetation;
- c. Vegetated riprap;
- d. Non-vegetated riprap;
- e. Groins, bulkheads, or other structural methods.

Structural shoreline stabilization methods shall be permitted only if:

- a. Flooding or erosion is threatening a structure or an established use; or
- b. There is a demonstrated public need in conjunction with a water dependent use; and
- c. Land use management practices or non-structural solutions are inappropriate because of high erosion rates, or the use of the site; and

- d. Adverse impacts on water currents, erosion, and accretion patterns of aquatic life and habitat are avoided or minimized.

### 3. Protection of Riparian Vegetation:

Because of the value that stream bank vegetation has for wildlife habitat, water quality protection, prevention of erosion, and other purposes, it shall be maintained and protected. In certain areas, removal of large trees may be necessary to prevent blow-downs, but such removal shall be carefully evaluated with the assistance of the Oregon Department of Fish and Wildlife and the U.S. Soil Conservation Service. In any case, structures, parking lots, roads, fills, utilities or other uses or activities shall be kept away from the estuary boundary a distance of at least fifteen feet (15'). Location on the estuary boundary shall be considered justification for a setback variance on the non-shoreline side of a lot in cases where the size of the lot would not permit a setback. Each case must be carefully reviewed by the Planning Commission. Setbacks from natural areas within the estuary boundary shall be a minimum of twenty five feet (25').

### 4. Public Access to the Waterfront:

Consistent with the policy to protect marshes and tideflats, public access to the waterfront shall be maintained and improved. This access may take the form of trails, viewpoints, or other low intensity uses; waterfront parks, small scale piers, boat docks, or boat launching areas; bridges that provide for fishing, sitting or viewing; and in developed areas, commercial uses that take advantage of their proximity to the water, such as restaurants. Local government, in coordination with the State Parks Department, shall develop and implement a program to provide increased public access. Existing public ownerships, right-of-ways, and similar public easements in estuary and ocean shorelands, which provide access to or along the estuary or ocean, shall be retained or replaced if sole, exchanged or transferred. Right-of-ways may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.

Public access projects which the city will pursue are:

- a. Necanicum parkway expansion and Quatat Marine Park;
- b. Upgrading of existing beach accesses;

Primary attention shall be given to the use of publicly owned lands for public access, such as street ends or other public lands. Private use of private shorelands is legitimate and shall be protected. Special consideration shall be given to make areas of the estuary shoreline available to the handicapped or other persons with limited mobility.

### 5. Uses Adjacent to the Estuary:

The Necanicum Estuary is valuable for its natural values and is not considered a water body useful for water-borne commerce. It is not anticipated that shipping or water dependent industry will ever be accommodated here. The types of water-dependent and water-related uses given highest priority on the shorelands adjacent to the estuary are recreational and are mentioned in the policy on public access.

Priorities for shoreland uses (from highest to lowest) shall be to:

- a. Promote uses which maintain the integrity of the estuaries of coastal waters;
- b. Provide for water dependent uses;
- c. Provide for water related uses;
- d. Provide for non-dependent, non-related uses which retain flexibility of future use and do not prematurely and inalterably commit shorelands to more intensive uses;
- e. Provide for development including, non-dependent, non-related uses, in urban areas compatible with existing or committed uses;
- f. Permit non-dependent, non-related uses which cause a permanent or long term change in the features of the coastal shorelands only upon a demonstration of public need.

The priority of uses shall be reflected in the Seaside Zoning Ordinance.

6. Dredge Material Disposal and Restoration:

Inasmuch as the Necanicum Estuary is designated conservation and minimal dredging is permitted for uses such as small moorages, aquaculture, or restoration, it is not anticipated that large volumes of material will be in need of disposal. However, dredge material shall be disposed of in a manner that is least disruptive to the environment. No water or wetlands areas shall be used for disposal. Upland sites other than freshwater marshes shall be utilized and good engineering practices shall be employed to protect water quality. Where active erosion is occurring and biological productivity is low, beach nourishment may be sufficiently course for this purpose. Dredge material disposal shall be carefully evaluated through the permit process.

Restoration of the estuary shall be encouraged through the establishment of aquaculture facilities and improvement of the physical and biological properties of the estuary. The improvement of fishing capabilities at the mouth of the river shall be given the highest priority.

7. Significant Shoreland and Wetland Biological Habitat:

Major marshes and significant wildlife habitat identified by the "Significant Shoreland and Wetland Biological Habitat and Freshwater Wetland Inventory Map" study shall be protected. Uses in these areas shall be consistent with protection of natural values.

#### **14.0 URBAN GROWTH BOUNDARY**

Basis for Boundary:

Seaside's Urban Growth Boundary is based on the analysis and review of growth concepts, natural features, and utility systems. The location of the boundary is supported by the table accompanying this discussion.

TABLE 1: URBAN GROWTH BOUNDARY JUSTIFICATION

Projected Acreage Needed for Various Land Uses

<u>Acreage</u>	<u>Land Use</u>
206.00	Residential
23.4	Commercial
5.2	Industrial
<u>48.9</u>	Public/Semi-Public/Trans. Utilities
283.5	TOTAL

## TOTAL VACANT BUILDABLE ACRES IN UGB

<u>Acreage</u>	<u>Zoning Category</u>
288.00	Residential Zones
26.84	Commercial Zones
<u>33.00</u>	Industrial Zone
347.84	TOTAL

NOTE: Public/Semi-Public, Transportation and Utilities must necessarily be dispersed among all zones.

The Land Conservation and Development Commission, (LCD) Goal No. 14, Urbanization, is to "Provide for an orderly and efficient transition from rural to urban land use." It states that "Urban growth boundaries shall be established to identify and separate urbanizable land from rural lands."

The Urban Growth Boundary for Seaside is based on the analysis of growth concepts and future land use requirements and a review of alternative growth patterns and utility systems as outlined in the preceding sections.

The boundary takes into account the city's growth policy (refer to Background Report); projected population and the design population (refer to Background Report); physical limitations and opportunities (refer to Background report); and open space and recreation needs (refer to Background Report).

The land areas shown within the boundary are considered to be of adequate size based on projected land use needs and extension of services. (Refer to background report).

The acreage available in the Urban Growth Boundary exceeds the needed acreage by 79.0 acres. There are 52 vacant acres within the SR Zone. Until city water and sewer is available, future lot divisions are required to be 5 acres or more. A land division or partition for less than 5 acres may be approved in a situation where there is a health hardship. The area has 92 dwelling units in it, mostly along Wahanna Road. The area is also surrounded by the City of Seaside, and it is necessary to have the area in the Urban Growth Boundary since city water and sewer services cross the area to serve the developing areas east of Wahanna Road, which are in the city limits.

## FINDINGS FOR THE URBAN GROWTH BOUNDARY INCLUDE:

### Need for Housing and Livability:

Need for housing: Table 4 projects 206 acres needed for housing to the year 2010. This acreage figure includes land needed for projected permanent and seasonal housing needs and takes into account a 20% land-need factor for road right-of-ways, drainage easements, and other improvements. An additional factor must be added for public and semi-public uses and utility uses which are associated with residential areas and increase the need for residentially zoned land. The projected future acreage required for public/semi-public uses and transportation and utilities is 49 acres. Approximately 80% of the existing developed acreage for these uses is found in the north, northwest, and east neighborhoods (Table, Page 38 of the Background Report). These neighborhoods are predominantly residentially zoned, as would be expected since schools, churches,

parks, and similar uses are usually associated with residential areas. Projecting a similar percentage results in a need for an additional 39 buildable acres in residential zones. Therefore, the total projected need for residential zoned acres for the year 2010 is 245 acres.

The total buildable land in residential zones in the UGB totals 362 acres. The amount over 245 acres can be explained by a need to provide area for homes projected to be displaced by commercial development due to the small amount of vacant commercial land available in the Seaside UGB, and to provide more flexibility in housing types and locations.

#### Need for Employment:

Seaside's proximity to the Portland metropolitan area, its ocean beaches and estuarine location, and the forested area in the hills to the east and south have contributed to a local economy which is centered on tourism. Additional expansion of the economy is partially dependent on the development of more resort-oriented facilities.

Table 1 shows a projected need for 23 additional buildable acres for commercial development. The inventory of vacant buildable land shows 23 acres available. The city has attempted to meet this need by designating the central business district and large areas along the main thoroughfare of Highway 101, and Holladay Drive, as commercial. Some areas are presently interspersed with residential development making available the possibility of 15 acres of commercial land. It is expected that commercial development will displace residential uses in these areas. The R-1, R-2, R-3, and RM Zones allow some commercial development as conditional uses. The planned unit development provisions also allow for some commercial activities.

It is recognized that Seaside does not have a potential for major industrial development, but the city has zoned three small industrial sites with a total of 58 acres. The industrial area on the south city boundary has a total of 43 acres; 33 acres are in the Kohl Mill site. This is an Alder Mill that is no longer used. The City plans to use 5 acres for the new public works yard. The balance of this property is where the needed vacant industrial acreage is found.

The northern sites have 15 acres. These sites are fully utilized and provide no opportunity for future industrial growth.

#### Orderly and Economic Provision of Public Facilities and Services and Maximum Efficiency of Land Uses Within and on the Fringe of Urban Areas:

The city's plan provides high density use in the developed areas of the city where full public facilities already exist.

Most vacant areas of the UGB are east of Gnawing Creek. A 12 inch sewer line and a 10-12 inch water line has been extended east of Gnawing Creek to serve the hospital, elementary school, and residential development.

One area within the UGB is presently outside of the city limits. It is the Wahanna Road area. The rural residentially developed Wahanna Road area is surrounded by incorporated areas. As utilities are extended to incorporated areas east of Wahanna Road, this area can be easily and economically served.

In-fill of present urban areas has been taken into consideration in projecting future land use requirements in the UGB.

#### Environmental, Energy, Economic, and Social Consequences:

Major marshes and other valuable estuarine resources have been protected in accordance with the Necanicum Estuary Plan. Significant wetland and biological sites have been identified within the UGB and have been placed in appropriate protective zones.

The city's economy is based on tourism. In its plan, the city has developed a greenway system to preserve open space and livability, provided opportunities for view homesites, and included an area for a major resort development.

Provision of high intensity uses in the central core area of Seaside promotes efficient extension of public services and reduces energy consumption.

The city has adequate water service capacity to meet projected growth used in designation of the UGB. The city has taken steps to reduce infiltration and inflow into the sewer system and has rebuilt the sewage treatment plant to meet projected growth.

Location of UGB provides adequate buildable land to meet housing needs and provides a choice of location and prices.

#### Retention of Agricultural and Forest Lands:

An area in the southern portion of the city, known as the Earl property, contains Class II soils. Due to the tract's agricultural soils, floodplain characteristics, and distance from public facilities, it has been excluded from the UGB and placed in an agriculture zone.

As shown on map page 31 of the Background Report, two other small areas of Class III soils exist within city limits. These areas are of very little consequence or value to the City of Seaside because the acreage is in small scattered parcels making productive farming un-economical. One area is presently developed as the new elementary school and hospital. The other area is located in the north portion of the Trails End development. Approximately 50% of this development is devoted to open space and recreational vehicle use. No other Class I-IV soils are included in the Seaside UGB.

Much of the area east of Wahanna Road and in the cove area has a forest site class, as does the majority of land in Clatsop County. However, no commercial forest lands have been included in the Seaside UGB.

Some minimal forest and agricultural land is included in the Urban Growth Boundary because of the identified need to accommodate growth and the lack of other available land. It should be noted that Seaside's growth is constrained by the proximity of Gearhart to the north, the Pacific Ocean to the west, and a large floodway to the south.

All the area included in the UGB with a forest site class other than existing developed or committed land, is in a geologic hazard overlay zone. Development is expected to occur at a reduced density in these hazard areas thereby preserving open space and forest land. In addition, there are standards in the Comprehensive Plan and Zoning Ordinance to minimize removal of vegetation to promote stability of the slopes. Open space, buffers, and solid protection are appropriate urban forest uses.



#### Compatibility with Nearby Agricultural Activities:

There are no EFUJ zoned areas in the vicinity of the UGB except for the area known as the Earl property in the south part of the city limits. This area is separated from the urban areas of the city by the open space of the Seaside Golf Course.

#### Discussion of Boundary of Urban Growth Boundary

The preceding information addressed the seven factors of Goal 14 in establishing the Urban Growth Boundary. Following is a discussion of the exact location of the Urban Growth Boundary.

#### North Boundary:

The north UGB follows a boundary mutually agreed upon by the cities of Seaside and Gearhart. The small area between the two city limits is committed to urban development. The Seaside UGB includes the extent of property associated with the Seaside Airport and includes some property immediately north of the Lewis & Clark Road. The city plans sewer and water extensions in incorporated areas east of Wahanna Road and these properties will be directly adjacent to planned sewer and water lines.

#### East Boundary:

The east boundary follows the eastern boundary of the Trails End Planned Development and then follows eastern property boundaries of the existing Sunset Hills SubDivision, hospital, and elementary school. A 10-12 inch water line and sewer line serves the hospital, school, Sunset Hills Subdivision and Phase I of Trails End Development. The boundary then follows the east property line of a previously platted development and then follows Avenue "S" to the city limits at the Necanicum Estuary.

#### South Boundary:

The south boundary follows the city limits along the Mill Ponds associated with an existing industrial use, then follows the boundary of the Seaside Golf Course except for taking in a few existing commercial uses on the east side of Highway 101. The boundary then follows the east boundary of an existing SubDivision in the cove area and includes some adjoining vacant land needed for housing.

#### West Boundary:

The west boundary follows the beach along the Pacific Ocean.

### **14.1 URBAN GROWTH POLICIES**

#### 1. City/County Planning Authority:

After agreement by Clatsop County on the Urban Growth Boundary location, policies and findings presented in this plan:

- a. Seaside's Zoning Ordinance and SubDivision regulations will apply to unincorporated areas within the Urban Growth Boundary and will be administered by Clatsop County.
- b. Clatsop County shall retain responsibility for land use decisions in these areas until they are annexed.
- c. For the purpose of controlling development before annexation occurs, the city and county agree to designate these areas as areas of joint cooperation for reaching decisions on rezoning property, approving SubDivision, allowing large scale developments which must be reviewed by the county Planning Commission, making Comprehensive Plan amendments, and carrying out other major planning actions.
- d. Changes of the Urban Growth Boundary should be a mutual process between the city and county. Major revisions in the boundary should be considered every five years as a part of a major review process. Minor changes should be considered no more than once a year, preferably as part of the annual plan update process. Adequate findings of fact must be adopted by both the city and county as part of the process.

2. Notification of Proposed Actions:

It shall be the responsibility of the jurisdiction initiating a major planning action involving an unincorporated portion of the Urban Growth Boundary to notify and involve the other jurisdiction. The following procedures will be used to assure timely response to proposed actions:

- a. Either jurisdiction initiating the proposed action shall notify the other in writing of the proposed within five(5) working days of its initiation.
- b. Reply shall be made within fifteen (15) working days after receipt of the proposed action.
- c. If additional time for response is requested, it will be considered upon written notification.

3. Rural/Urban Conversion:

Areas within the Urban Growth Boundary shall be considered available over time for urban uses. Conversion of undeveloped land to urban uses will be based in part on consideration of:

- a. Orderly and economic provisions for public facilities and services;
- b. Availability of sufficient land for various uses to insure choices in the market place; and
- c. Encouragement of new urban uses near previously developed areas before conversion of vacant land in isolated locations.

4. Public Facilities and Services:

City water and sewer service will be extended only if:

- a. The costs of providing these services to the area have been studied and estimated in a reasonable manner, and;
- b. The city water and sewer plants have adequate capacity to begin serving the area within a reasonable time.

All city public facilities and services not already provided to an area may become available after annexation takes place. Property owners affected will be required to pay for the cost of water and sewer extensions.

The public facilities planning is the responsibility of the City of Seaside.

5. Transportation:

Increased use of county roads is a concern to both city and county. Before final city approval is given to a development affecting county roads, the city, the county, the developer, and the State Highway Division where applicable, should arrive at a mutually satisfactory method of upgrading the roads and paying for the costs of the improvement for streets, roads, and intersections affected by the development. The number of commercial use access points to US Highway 101 will be minimized, wherever possible, through the use of common driveways, frontage roads, or other techniques.

6. Airport:

In determining whether or not a development should be approved in the airport approach zones, consideration will be given to the type of use, its general location, its height, and other relevant factors. The city will invite and consider comments from the Aeronautics Division of the Oregon Department of Transportation.

#### 7. Estuarine Areas and Flooding:

Until additional policies are added to the Comprehensive Plan to protect the Necanicum Estuary, all developments must be in conformance with policies in the Necanicum Estuary Plan (Review Draft, June 1979). All development in the flood plain shall satisfy standards of the Federal Flood Insurance Program.

#### 8. Hazardous Soils:

In geologic hazardous areas identified in Geologic Hazard Policy 1, approval of a SubDivision in the Urban Growth Boundary shall require an adequate on-site hazards investigation by a qualified person in conformance with the plan's Geologic Hazard Policies.

#### 9. Additional Urban Growth Areas:

The following factors will be considered before changes are made in the Urban Growth Boundary:

- a. The demonstrated need to accommodate long range urban population growth requirements;
- b. The need for housing, employment opportunities, and livability;
- c. The importance of an orderly and economic provision for public facilities and services;
- d. The desirability for maximum efficiency of land uses within and on the fringe of the existing urban area; and
- e. The environmental, energy, economic, and social consequences;
- f. Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and
- g. Compatibility of the proposed urban uses with nearby agricultural activities.

### **15.0 IMPLEMENTATION**

For the Comprehensive Plan to be an effective long-range guide for the future development of the community, implementation measures are a necessity. This entails utilization of legal tools for land use control and development of capital improvement programs for public improvements and facilities.

#### **15.1 LAND USE CONTROLS**

Traditionally, the two most important tools for land use control have been zoning and SubDivision regulations. Of these, zoning has usually been the most widely used device to carry out the plan.

The basis of zoning is the Comprehensive Plan and, in this case in particular, the land use plan element. Where the Comprehensive Plan delineates in a generalized manner land use for the future, the Zoning Ordinance governs existing land use in a specific

manner. The Zoning Ordinance essentially insures that the community, at any point in time, has adequate space of various land uses, that these uses are properly situated in relation to one another, and that appropriate development densities are maintained. In this manner, the community can direct growth to occur in appropriate places where public services can be economically provided.

Review of the Zoning Ordinance should occur on a periodic basis to insure that it keeps pace with changes in the community or with changes in the Comprehensive Plan.

The SubDivision Ordinance is another legal tool by which the city can implement the Comprehensive Plan, since the ordinance deals with prescribed standards of street and lot design as they relate to the objectives of the plan. In essence, the Subdivision Ordinance offers the opportunity for planning new additions to the city in accordance with the Comprehensive Plan, thereby enhancing future development while avoiding the recurrence of past mistakes.

The SubDivision Ordinance, like the Zoning Ordinance, must also be reviewed periodically and revised as required to insure conformance with the Comprehensive Plan.

Implementation of the land use plan shall be accomplished through the adoption of zoning and SubDivision regulations. In the event of a conflict between the Comprehensive Plan and Zoning or SubDivision Ordinances, the intent of the Comprehensive Plan shall prevail.

Other devices may be utilized to implement the comprehensive Plan including, but not limited to, building codes, sign ordinances and design review.

## **15.2 PUBLIC FACILITIES PLAN**

A Public Facilities Plan consists of a comprehensive list of needed public improvements or facilities. These include such items as roads, utilities, public buildings such as fire and police facilities, schools, city hall, library, and convention center.

The type, location, and timing of these public improvements has a pronounced effect on the physical development of the city, and with careful planning, the provision of these facilities can be influential in helping to implement the Comprehensive Plan. Thus, the role of the Public Facilities Plan is to identify needed improvements and facilities, to determine the relative priority of each, and determine approximately when these improvements or facilities will be needed as they relate to the Comprehensive Plan.

The most descriptive example is the provision of water and sewage facilities. The Comprehensive Plan gives general directions as to where and when future growth should occur. The Public Facilities Plan seeks to utilize the financial capabilities of the city to insure that adequate water and sewer capacities and location to sustain and stimulate development. Thus, the Public Facilities Plan is a means by which the city can program its limited financial capabilities with the need to provide basic services to the community and to make these available at the appropriate time.

While the Comprehensive Plan deals with the long range development of the city, the Public Facilities Program usually centers on shorter periods of time in terms of priorities and financing program. As a result, specific priorities and costs may be designated over a five year or in some cases a ten year period. On a short range basis, this type of

programming helps to coordinate day-to-day decisions with the longer range objectives of the Comprehensive Plan.

### **15.3 REVISING THE PLAN:**

The long term nature of the Comprehensive Plan requires decisions to be made based upon economic and population projections. As time progresses, these projections must be continually compared with existing conditions, and if a wide discrepancy occurs, the Comprehensive Plan should be updated to reflect these changes. Otherwise, the Comprehensive Plan will not realistically meet the needs of the community.

### **15.4 IMPLEMENTATION AND PROCEDURAL POLICIES**

1. The City of Seaside, working under the Citizen Involvement Program, shall actively pursue the goals of the Seaside Comprehensive Plan and adhere to its policies in doing so.
2. Review of the Comprehensive Plan shall occur at a minimum of every two years to assess changing conditions and needs.
3. No more than seven years after the adoption of the Comprehensive Plan, a major review process shall be undertaken. Major revisions affect an area of more than one property or wide-ranging policy. They shall be carefully considered and instituted infrequently, generally not more often than every two years. Minor plan changes affecting smaller areas or specific properties should also be carefully considered.
4. Any revision shall be based on examination of development trends, population growth, and effectiveness of policy statement since the adoption or previous revision date.
5. Changes to the Comprehensive Plan shall be based on adequate finding of public need and factual information.
6. Findings of fact for requested Comprehensive Plan revisions shall, as a minimum:
  - a. Explain which plan goals, objectives, or policies are being furthered by the change:
  - b. Present the facts used in making the decision; and
  - c. Explain how the change will serve the public need.
7. As with the preparation of the Comprehensive Plan, other jurisdictions and agencies shall be involved in the process of revision or updating.
8. Major and minor revision of the Comprehensive Plan shall occur only after public hearings by both the Planning Commission and the City Council.
9. Property owners within 100 feet of an area subject to change shall be notified by first class mail of proposed changes as in specified by the Seaside Zoning Ordinance under notification procedures.

10. Public hearings shall be conducted in accordance with procedures outlined under Article 11 of the Seaside Zoning Ordinance.
11. All city ordinances, policies and actions affecting land use shall be consistent with the plan. Where there is a conflict between the plan and ordinances or actions, the Comprehensive Plan prevails.
12. Zone changes shall be consistent with the Comprehensive Plan.